



The author(s) shown below used Federal funding provided by the U.S. Department of Justice to prepare the following resource:

Document Title: Unauthorized Immigration, Crime, and Recidivism: Evidence from Texas

Author(s): Michael T. Light

Document Number: 308552

Date Received: January 2024

Award Number: 2019-R2-CX-0058

This resource has not been published by the U.S. Department of Justice. This resource is being made publicly available through the Office of Justice Programs' National Criminal Justice Reference Service.

Opinions or points of view expressed are those of the author(s) and do not necessarily reflect the official position or policies of the U.S. Department of Justice.

National Institute of Justice

Award # 2019-R2-CX-0058

Project Title: *Unauthorized Immigration, Crime, and Recidivism: Evidence from Texas*

PI: Michael T. Light, Professor of Sociology
8128 William H. Sewell Social Sciences Building
1180 Observatory Drive
Madison, WI 53706-1393
milight@ssc.wisc.edu
608-262-1217

Recipient Organization: The Board of Regents of the University of Wisconsin System
21 N. Park Street, Suite 6401
Madison, WI 53715-1218
608-262-3822

Project/Grant Period: January 1, 2020 – December 31, 2022

Award Amount: \$396,194

Project Summary

Since 1990, the unauthorized population more than tripled, from 3.5 million to 10.7 million today. This wave of immigration has generated substantial public angst and backlash regarding the criminality of unauthorized immigrants, leading to immigration reforms and public policies intended to reduce the crimes associated with undocumented immigration. Indeed, the strict enforcement of immigration laws through increased collaboration with criminal justice officials has been a centerpiece of President Trump's policy agenda. Yet, despite this attention, we lack even basic information on fundamental questions regarding the link between undocumented immigration and crime and the efficacy of criminal justice policy to respond to unauthorized immigration. These include **1) how does the criminality of unauthorized immigrants compare to legal residents or native-born citizens? 2) Does this differ by offense type (e.g. property vs violent crime)? 3) How has unauthorized immigrant criminality changed over time, particularly in the wake of stepped-up enforcement under the Trump administration? 4) How often do unauthorized immigrants recidivate? And 5) how does criminal sanctioning affect recidivism among the unauthorized?**

Each of these questions represent significant gaps in our scientific and policy understanding of unauthorized immigration, all of which are due to data constraints because information on immigration status is remarkably scarce in most crime data sources. This project is a notable exception in that, after review for scientific merit, the Texas Department of Public Safety (DPS) has granted access to the Computerized Criminal History System (CCH), which provides case processing information for *all arrests* recorded between 2011 and 2018. The DPS data are unique in that, over this period, they have fully cooperated with the Department of Homeland Security to check and record the immigration status of all arrestees throughout the

state, including their legal status. Thus, because the CCH dataset includes legal status data for arrestees, this project is among the first to provide even descriptive information on arrest, conviction, recidivism, and case processing of unauthorized immigrants. Leveraging this uniquely comprehensive data source, this study addresses each of five research questions described above.

We divide this report into four sections. The first section compares the criminality of undocumented immigrants to legal immigrants and native-born U.S. citizens between 2012 and 2018 in Texas. We find that undocumented immigrants have substantially lower crime rates than native-born citizens and legal immigrants across a range of felony offenses. Relative to undocumented immigrants, U.S.-borns are over two times more likely arrested for violent crimes, two and half times more likely to be arrested for drug crimes, and over four times more likely to arrested for property crimes. In addition, the proportion of arrests involving undocumented immigrants in Texas was relatively stable or decreasing over this period.

The second section establishes the foundational empirics for a general criminological literature on the immigration-homicide nexus. Key findings include: 1) Immigrants generally exhibit lower rates of serious violent crime in California and Texas. This is true for overall rates of violence and homicide. 2) Violent crime rates among immigrants in California are lower than among immigrants in Texas, and the relative gap between native and foreign-born individuals is considerably larger in California. 3) In both states, there is substantial heterogeneity in the immigration-homicide relationship by race/ethnicity and national origin. Generally speaking, immigrants from Asian countries have especially low rates of homicide offending. 4) Relative to the U.S.-born population, the criminal histories of immigrants arrested for violent crimes are both less extensive and less severe.

Section III answers important question about the extent to which immigrant criminality changed during the Trump administration. We find no evidence, descriptive or otherwise, to suggest that the transition from the Obama administration to the Trump administration had a meaningful effect on immigrant criminality, whether measured as violence, property, drug, or traffic offenses.

Lastly, section IV examines recidivism among the undocumented population and details the data limitations that caution against strong conclusions on this issue. Most notably, criminal justice databases rarely have information as to whether the defendant was eventually deported. As a result, we do not know if an individual restrains from recidivating or is simply removed the country and is thus no longer at risk to recidivate.

Section I: Comparing crime rates between undocumented immigrants, legal immigrants, and native-born U.S. citizens in Texas

The tripling of the undocumented population in recent decades is one of the most consequential and controversial social trends in the United States (Krogstad, Passel, and Cohn 2019). Backlash regarding the criminality of undocumented immigrants is at the fore of this controversy and has led to immigration reforms and public policies intended to reduce the crimes associated with undocumented immigration (Bohn, Lofstrom and Raphael 2014). As recently as June of 2020, the debate on undocumented criminality made its way to the U.S. Supreme Court where the U.S. Solicitor General sought to invalidate California’s “sanctuary” policies because “[w]hen officers are unable to arrest aliens— often criminal aliens—who are in removal proceedings or have been ordered removed from the United States, those aliens instead return to the community, *where criminal aliens are disproportionately likely to commit crimes*”.¹

Indeed, concerns over illegal immigration have arguably been the government’s chief criminal law enforcement priority for years, to the point where the federal government now spends more on immigration enforcement than all other principle criminal law enforcement agencies combined (Capps et al. 2018; Meissner et al. 2013). These policies, practices, and pronouncements, however, have far outpaced our empirical understanding of undocumented criminality. That is, while research suggests that immigrants generally tend to be less crime-prone than their native peers (Bersani 2014), we still lack basic information on fundamental questions specific to *undocumented* immigrants and crime. How does the criminality of

¹ Petition for writ of certiorari of petitioner United States of America, *United States of America v. State of California*, 590 U. S. ___, 2020. (no. 19-532). Available at <https://www.supremecourt.gov/docket/docketfiles/html/public/19-532.html> (p. 13, our emphasis)

undocumented immigrants compare to legal immigrants or native-born citizens? Does this differ by the type offense, such as property, violent, or drug crimes? And how has undocumented immigrant criminality changed over time?

Each of these questions represents remarkable gaps in our scientific and policy understanding of undocumented immigration. This dearth is largely due to data limitations. Calculating group-specific crime rates is straightforward: it is the number of arrests within a particular group divided by its population (expressed per 100,000). In the case of undocumented immigrants, however, for years we lacked reliable estimates for both the numerator and the denominator required for such calculations. Regarding the number of undocumented immigrants (the denominator), data quality has improved in recent years as the Center for Migration Studies and the Pew Research Center now produce annual state- and national-level estimates of the undocumented population, ranging from 10.5 to 10.7 million in 2017 (Krogstad, Passel, and Cohn 2019; Warren 2019).² Data on undocumented criminality (the numerator), however, has actually gotten worse over time. Despite the increasing centrality of local police in immigration enforcement (Eagly 2013), information on immigration status is remarkably scarce in most crime databases. Among the most widely utilized crime data sources, neither the Uniform Crime Reports (UCR), the National Crime Victimization Survey (NCVS), nor the National Incident-Based Reporting System (NIBRS) record information about immigration status. In addition, California stopped reporting the number of noncitizens in their custody to the Bureau of Justice Statistics (BJS) in 2013 and in 2017 became a “sanctuary state” by limiting information sharing between local criminal justice officials and federal immigration authorities (Eagly 2017). In 2016, they along with Nevada, New Hampshire, North Dakota, and Oregon did not report

² The Department of Homeland Security also produces estimates of the undocumented immigrant population, but these figures have not been updated since 2015 (Baker 2018).

information on citizenship in their prison populations, and the BJS speculates that other states “likely provided undercounts” (Carson 2018: 13).

This study is a notable exception to this trend in that, after review for scientific merit, the Texas Department of Public Safety (DPS) granted our research team access to case processing information for all arrests recorded between 2012 and 2018. The DPS data are unique in that they fully cooperate with the Department of Homeland Security (DHS) to check and record the immigration status of all arrestees throughout the state, including their legal status.³ Using this data, we address the empirical shortcomings that have hampered prior work in this area by accomplishing three interrelated objectives.

First, we offer a detailed contemporary assessment of the comparative criminality between native-born U.S. citizens, legal immigrants, and undocumented immigrants. The limited information we do have about undocumented criminality is not only conspicuously scant but also highly inconsistent. A 2018 report from the CATO Institute found that arrest and conviction rates for undocumented immigrants are lower than those of native-born individuals (Nowrasteh 2018). Research by the Crime Prevention Research Center in that same year, however, reached the exact opposite conclusion (Lott 2018). Neither of these studies was peer-reviewed and thus their data and methodologies have not been subject to scientific scrutiny. Given the salience of this research for informing contemporary public and political dialogue, the time has come for a thorough inquiry into the nexus between undocumented immigrants and crime.

Second, going beyond general differences in crime, we calculate comparative crime rates across multiple offense types. These distinctions are essential for both theoretical and empirical reasons. Though the evidence linking immigrants (generally) to violent crime is markedly thin

³ https://www.dps.texas.gov/administration/crime_records/pages/txCriminalAlienStatistics.htm

(Ousey and Kubrin 2018), there are compelling theoretical reasons to think that undocumented immigrants may have divergent effects on violent and non-violent crime. Most notably, lacking legal status limits their legitimate economic opportunities and thus undocumented immigrants may turn to illegitimate economic pursuits (Ousey and Kubrin 2009). From an empirical perspective, the federal government's increasing reliance on collaborations with state and local law enforcement complicates the picture of immigrant criminality because many immigrants held in local jails are booked on federal immigration charges, not local criminal charges. A focus on the overall rates of crime obscures this critical distinction.

Lastly, we examine the overall and relative crime *trends* among the undocumented. The fact that we currently cannot answer how undocumented criminality has changed in recent years with even a directional statement (increasing or decreasing) is highly problematic, particularly in light of the substantial enforcement initiatives implemented under Presidents Obama and Trump to decrease the burden of immigrant crime (Capps et al. 2018; Meissner et al. 2013). Using visual plots, linear regressions, and time-series techniques (Augmented Dickey-Fuller [ADF] tests), we provide the first longitudinal assessment of the relative involvement of undocumented immigrants in crime.

Foreshadowing our results, we find that undocumented immigrants have considerably lower crime rates than native-born citizens and legal immigrants across a range of criminal offenses, including violent, property, drug, and traffic crimes. We also report no evidence that undocumented criminality has become more prevalent in recent years across any crime category.

Material and Methods

The primary data source for this analysis is the Texas Computerized Criminal History (CCH) database provided by the Texas Department of Public Safety. The focus on Texas is

warranted for several reasons. First, Texas has the second-largest immigrant population in the United States, with roughly 4.8 million foreign-born individuals (~17 percent of the population), of which an estimated 1.6 million are undocumented.⁴ Second, Texas processes large numbers of immigrants through their criminal justice system. In 2012, Texas had the third highest number of reported noncitizens in their prison systems (Carson and Golinelli 2013) and the DHS estimates that there were more noncitizens arrested in recent years by local police in Texas than any other criminal justice system in the United States, save California.⁵ Third, Texas is a site of intense federal immigration enforcement as evidenced by the fact that the federal government paid more to house criminal aliens in local jails in Texas than all other states except New York and California.⁶

Unlike the voluntary nature of the Uniform Crime Reports collected by the FBI, the CCH reporting system is statutorily mandated for every jurisdiction in the state of Texas. By law, all arresting agencies in Texas must report information to the DPS within 7 days of the arrest for all Class B Misdemeanors or greater.⁷ The only arrests that are not required in the CCH data are Misdemeanor Class C offenses, which are ineligible for jail or prison sanctions in Texas and often handled with citations rather than arrests.

⁴ Pew Research Center. 2019. "U.S. unauthorized immigrant population estimates by state, 2016." Washington, DC. Available at <https://www.pewresearch.org/hispanic/interactives/u-s-unauthorized-immigrants-by-state/>

⁵ According to DHS's Criminal Alien Population Projection Analysis (CAPP), between 2011 and 2014 there were an estimated 749,554 noncitizens in California by local police, 428,566 noncitizen arrests in Texas, and only 374,222 noncitizen arrests by the federal government. (Department of Homeland Security. 2010. *The Criminal Alien Population Projection Analysis* (CAPP). Available at <https://www.ice.gov/doclib/foia/reports/cappa-projected-arrests-releases-aor-level.xls>)

⁶ Bureau of Justice Assistance. 2016. *State Criminal Alien Assistance Program* (SCAAP). Available at <https://www.bja.gov/funding/SCAAP-FY-2016-Award-Details.xlsx>

⁷ A class B misdemeanor in Texas is punishable up to 180 days in county jail and a \$2000 fine.

The requirements for the CCH data also specify that agencies must report several key variables, including the criminal statute, the level of the offense (e.g. 1st degree felony, 2nd degree felony, etc.), the date of arrest, the arresting agency, and demographic information for the individual. Critical for our purposes, the booking process mandates inquiries into an arrestee's place of birth and citizenship and the Texas Commission on Law Enforcement (TCOLE) requires training on conducting intake interviews to be a licensed jailer in the state of Texas.^{±8} The consequence of these strict training and reporting requirements is the extremely low rate of missingness in the dataset. According to the DPS, the compliance rate for this CCH data from 2011 through 2015 was 96 percent and citizenship information is missing in only 3 percent of felony arrests. In sum, the CCH database contains case processing information for every jailable arrest in the state of Texas, with detailed information on both the criminal conduct and the arrested individuals.

One key variable missing from the CCH database is the individuals' immigration status, which requires the use of a second data source. In 2011, the Texas DPS started participating in the Secure Communities Program (S-COMM). As part of S-COMM,⁹ starting in June of 2011 the DPS sends the fingerprints of every arrested individual to the Department of Homeland

⁸ Section 6.7.2 of the TCOLE "Basic County Corrections Course" and section 2.2.3 of the TCOLE "Basic Jail Certification Course for Sworn Texas Peace Officers" deal specifically with the "processing of persons of foreign nationality." The following relevant text is found in both courses:

1. *It is imperative that the determination of citizenship be on your department's record.*
2. *Determine the defendant's citizenship. This can be established by asking place of birth of the defendant, whether the defendant was born out of the United States, or whether the defendant has been naturalized under the Constitution and laws of the United States. In the absence of other information to the contrary, assume this is the country on whose passport or other travel document the foreign national travels.*

⁹ S-COMM was suspended in November 2014 and replaced by the Priority Enforcement Program (PEP). S-COMM has since been reactivated in January 2017 by an executive order from President Trump to "ensure the public safety of the American people in communities across the United States." Critical for our purposes, these program changes did not affect the collection of information on immigration status for the Texas Department of Public Safety.

Security's IDENT database, where Immigration and Custom Enforcement (ICE) determines their immigration status. The DHS reports the immigration status back to the Texas DPS for all individuals with a known immigration status (reported as either "legal" or "illegal"). While the cross-referencing of criminal records with the IDENT database is common practice across state and local jurisdictions (Miles and Cox 2014), the DPS is unique in that they retain the immigration status information from the DHS in their records. We obtained this immigration status dataset from the Texas DPS as part of our request for the CCH database.

We combine data from the DHS on immigration status with the citizenship and place of birth data in the CCH to record felony arrestees into one of the three categories: 1) native-born U.S. citizens, 2) legal immigrants, and 3) undocumented immigrants. Any individual deemed "illegal" by the DHS is considered to be an undocumented immigrant. Legal immigrants comprise three groups: those identified as "legal" immigrants in the IDENT database, non-U.S. citizens who were not designated "illegal," and foreign-born U.S. citizens (i.e. naturalized citizens). We examine the crime patterns of naturalized citizens separately in Supporting Information Section VII. Our coding of the legal immigrant population merits attention. Prior work examining the differences between legal and undocumented immigrants in Texas relied solely on the DHS information to determine legal status (Nowrasteh 2018). However, the DHS variable is incomplete because many legal noncitizen and foreign-born arrestees are not recorded in the IDENT database. In 2018, for example, there were nearly 60,000 legal immigrant arrests in the CCH data based on our coding, compared to about 37,000 legal immigrant arrests when using only the DHS data. Thus, the exclusive reliance on the DHS information in Nowrasteh's (2018) report almost certainly undercounted the number of legal immigrant arrests and misclassified many legal immigrants as "native-born." In our analysis, the category of native-

born citizens comprises all individuals who were born in the United States, are U.S. citizens, and are not recorded as a “legal” or “illegal” immigrant by the DHS. We return to this issue of misclassification in the IDENT database in the *Sensitivity Analyses*.

To our knowledge, Texas is the only state that requires the determination and documentation of immigration status as part of its standard criminal justice records practice. Combined with the fact that we have complete information for every jailable arrest in Texas, our dataset is ideal for comparing the criminality between undocumented immigrants, legal immigrants, and native-born citizens. Simply put, no other data source in the United States could accomplish this task with the same degree of breadth, rigor, and detail.

Our crime rate analysis focuses on all felonies in the years 2012 to 2018 (an analysis of misdemeanors is shown Supporting Information Section VI). 2012 was the first full year immigration information was recorded by the DPS and the most current estimates of the undocumented population are from 2018. In calculating the number of crimes, we count each arrest charge as a separate crime incident, which is common practice in the calculation of crime rates (often referred to as incident-based reporting). Most arrests in Texas (83%) have only one arrest charge. To ensure consistency with published reports, we report offense categories using the same arrest offense codes as those reported by the DPS.¹⁰ Given the relevance of both status offenses and income-generating crimes for our inquiry, we also supplement the DPS coding by further examining drug and traffic offenses. Detailed descriptions for all offense categories are shown in the Supporting Information Section I.

It is important to note how we dealt with the nexus between state and federal authorities. More than 39,000 individuals in the CCH data were booked for “federal offenses,” the majority

¹⁰ Texas Department of Public Safety. 2020. *Texas Criminal Illegal Alien Data*. Available at https://www.dps.texas.gov/administration/crime_records/pages/txcriminalalienstatistics.htm

of whom (70%) were undocumented immigrants.¹¹ Based on conversations with local authorities, we determined that these individuals were temporarily held in local facilities for various federal agencies, including ICE, the Bureau of Prisons, and the U.S. Marshalls. Because these individuals are not held on local criminal charges, but rather as an administrative accounting for local jails, we exclude them from our analysis.

Our population data come from two sources. Annual information on the total population, the population of US-born citizens, the foreign-born population, and the number of naturalized citizens in Texas come from the U.S. Census' American Community Survey 1-year estimates. Estimates of the undocumented population come from the Center for Migration Studies (CMS), one of the most reliable, respected, and peer-reviewed sources on the undocumented immigrant population (Warren 2014; Warren and Warren 2013). Stated briefly, the CMS uses a residual methodology based on Census Bureau data whereby the number of authorized immigrants is subtracted from the foreign-born population. The remainder, or residual, is then the estimated number of potentially undocumented immigrants. Several features of the CMS estimates are noteworthy. First, the CMS applies logical edits when calculating residuals (Warren 2014) that serve as tools to identify as many legal residents as possible. These edits are derived from survey responses that are unlikely to apply to someone who is undocumented, such as occupations that require legal status or those that receive public benefits restricted to legal residents. Second, the CMS adjusts for factors that influence yearly fluctuations in the immigrant population such as emigration and mortality and calculates independent population controls by country of origin (Warren 2014: 308). This is important because the percentage of undocumented immigrants

¹¹ The literal disposition code for these offenses is "Transferred for Federal Prosecution." Legal immigrants accounted for an additional 22 percent of these offenses. Only 9 percent of individuals booked on "federal offenses" were native citizens.

among the foreign-born population can vary considerably based on national origin. Third, utilizing the population controls from step two, final selections are made of individual respondents to be classified as undocumented. Lastly, these estimates are adjusted for underenumeration whereby the undercount rate decreases with length of residence (i.e. the most recent entrants are assumed to have the highest undercount rates) (Warren 2014; Warren and Warren 2013). This data serves as the undocumented denominator for the main analysis. In line with previous research, the legal immigrant population is calculated as the total foreign-born population minus the undocumented population (Light and Miller 2018).

All data and replication materials for this analysis are available on openICPSR at the following link: <https://www.openicpsr.org/openicpsr/project/124923/version/V1/view>

Results

Examining Crime Rates

We begin by presenting aggregate crime rates from 2012 to 2018. Figure 1.1 presents violent, property, drug, and traffic arrest rates of native-born citizens, legal immigrants and undocumented immigrants. The consistency of the comparative rates is notable. Relative to native-born citizens and legal immigrants, undocumented immigrants have the lowest felony arrest rates across all four crime types. For violent, property, and drug offenses, legal immigrants occupy a middle position between undocumented immigrants and U.S.-born citizens. The gaps between native-born citizens and undocumented immigrants are substantial: U.S.-borns are over two times more likely to be arrested for violent crimes, two and half times more likely to be arrested for drug crimes, and over four times more likely to be arrested for property crimes. These latter two findings are noteworthy. Previous research suggests that immigrants with marginal economic prospects are more heavily involved in property crime (Bell and Machin

(2013), Spenkuch (2014), Baker (2015)) and it is plausible that drug markets may offer undocumented immigrants opportunities denied in the legitimate labor market. However, we find no evidence that undocumented immigrants are more heavily involved in property or drug offenses in Texas. It is possible, however, that these crime categories may paint with too broad a brush and the picture of undocumented criminality may look different when examining specific criminal offenses. We thus turn to our more detailed offense categories in Figure 1.2.

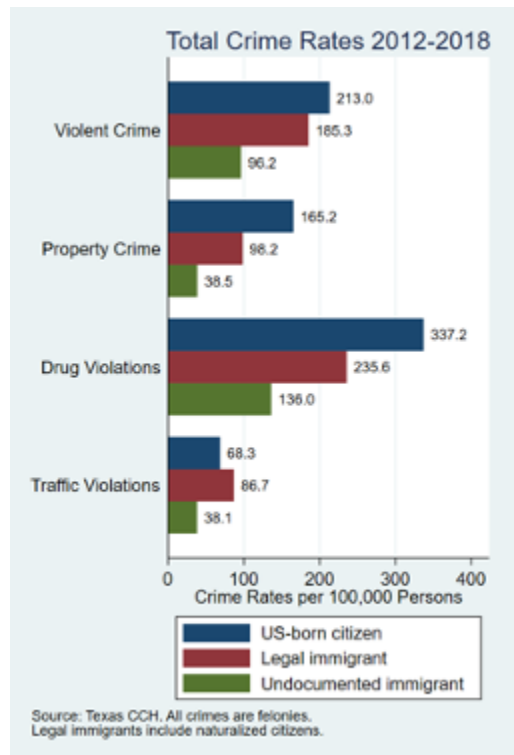


Figure 1.1. Felony Arrest Rates, Texas (2012-2018)

Figure 1.2 shows the rates for homicide, assault, robbery, sexual assault, burglary, theft and arson. Without exception, undocumented immigrants have the lowest crime rates. Compared to native-born citizens, undocumented immigrants are roughly half as likely to be arrested for homicide, felonious assault, and sexual assault. The gaps for robbery, burglary, theft, and arson are considerably larger, whereby native-born citizens are between 3 and 5 times more likely to be arrested for these criminal offenses. For most crimes, the criminality of legal immigrants tends to

be less than native-born citizens. The exceptions to this pattern are homicide, where the rates are roughly equal, and sexual assault, where arrest rates for legal immigrants are considerably higher.

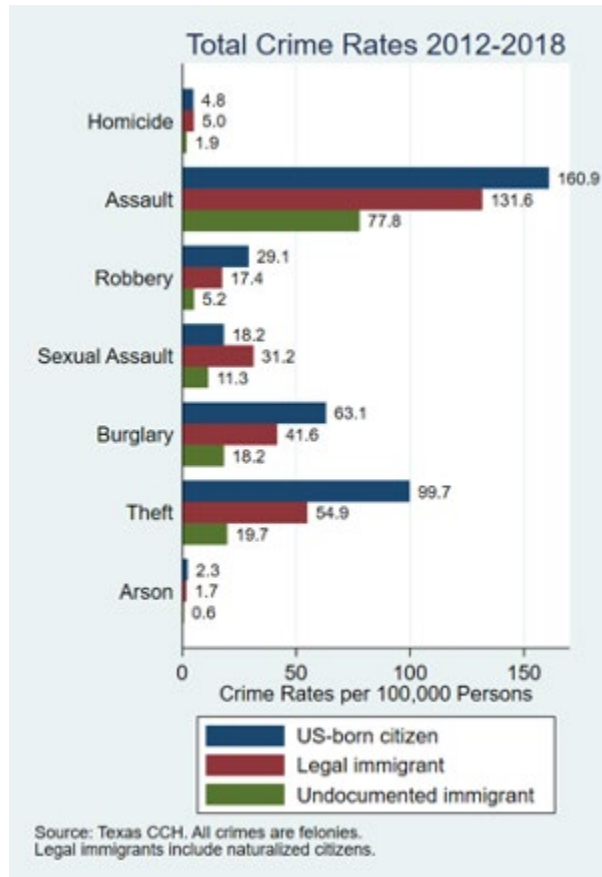


Figure 1.2. Felony Arrest Rates by Detailed Measures of Violent and Property Crime, Texas (2012-2018)

If a snapshot of undocumented criminality is scant, evidence on undocumented crime trends is virtually non-existent. Figure 1.3 shows the trends in felony arrest rates for each group (arrest counts for each group are shown in Supporting Information Section I). Two patterns are noteworthy. First, in line with the aggregate crime rates, we observe the same relative pattern in felony arrests over time. That is, native-born citizens tend to have the highest rates, undocumented immigrants have the lowest, and legal immigrants are in between. In general

terms, the felony arrest rates were approximately 1,000 per 100,000 among US-born citizens, 800 per 100,000 among legal immigrants, and 400 per 100,000 among undocumented immigrants. Second, the comparative gaps between native-borns and immigrants have widened slightly over time due to small increases among U.S.-born citizens and relative stability among legal and undocumented immigrants.

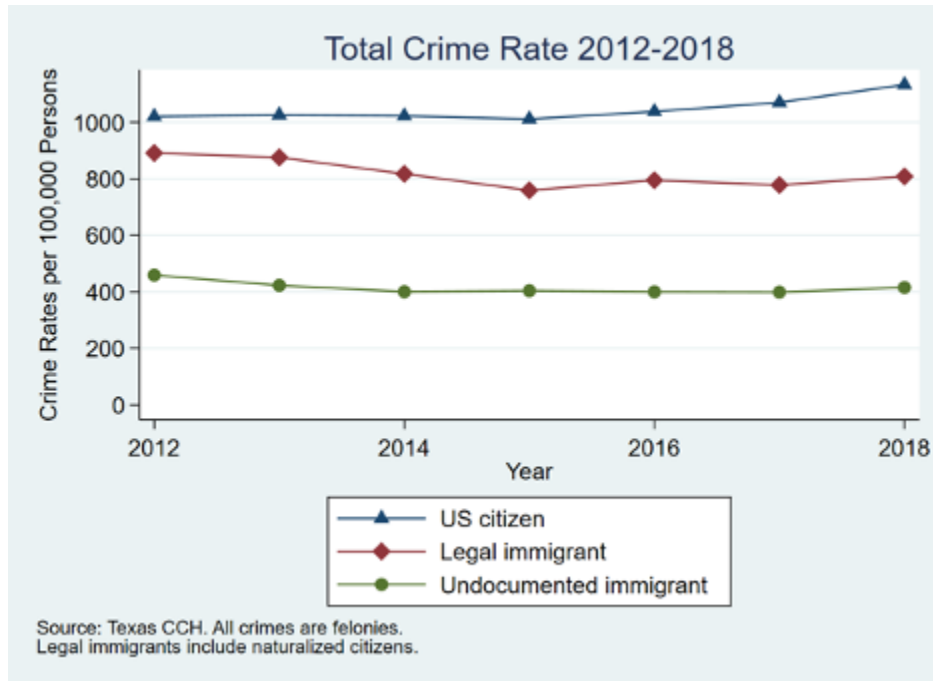


Figure 1.3. Trends of total felony crime rates by citizens, legal immigrants and undocumented immigrants

The patterns for violent felonies shown in Figure 1.4 are remarkably similar. Compared to native-born citizens, legal immigrants and especially undocumented immigrants have lower rates of violent crime and the relative gaps between immigrants and U.S.-born citizens have increased modestly. The trends for property crime observed in Figure 1.5 are slightly different. While the relative position of each group is the same for property crime (e.g. legal and undocumented immigrants have lower rates), the gaps between groups have shrunk somewhat as a result of

larger absolute decreases in property crime among U.S.-born citizens. The trends for more detailed felony classifications are shown in Supporting Information Section II, Figures S1-S12.

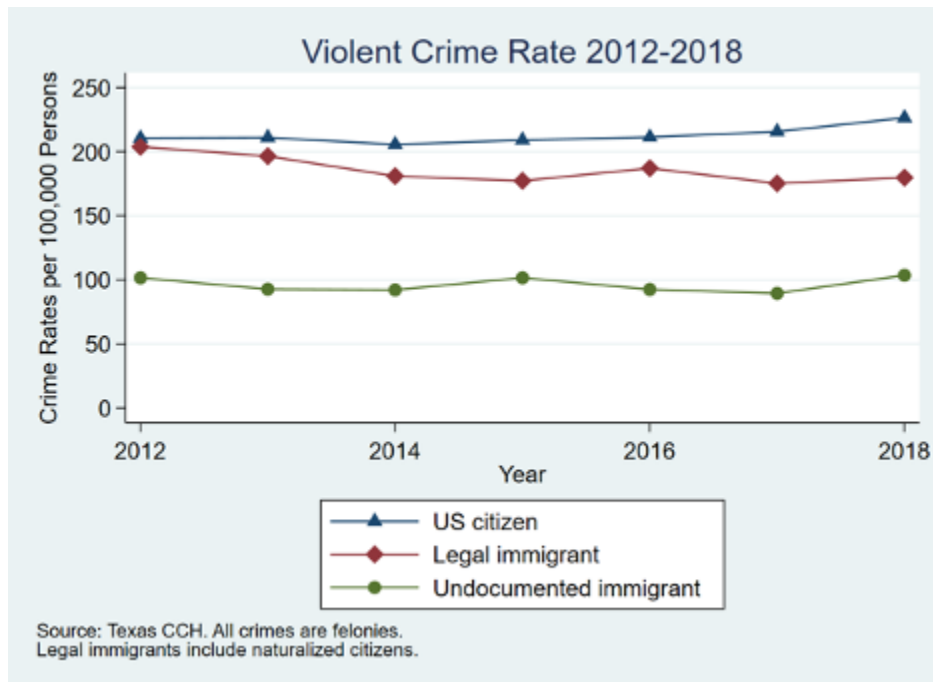


Figure 1.4. Trends of violent crime rates by citizens, legal immigrants and undocumented immigrants

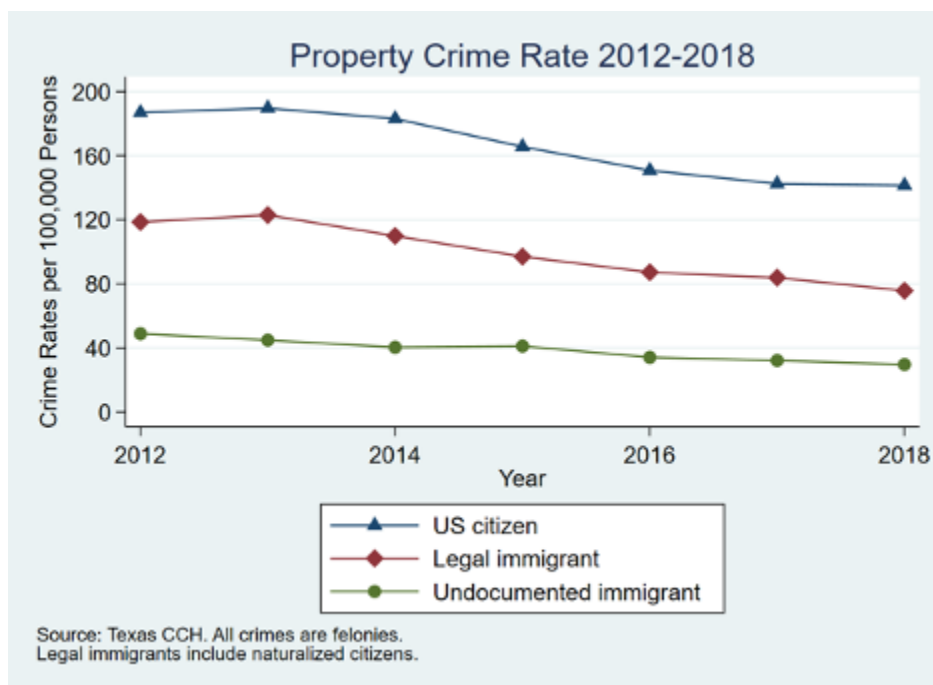


Figure 1.5. Trends of property crime rates by citizens, legal immigrants and undocumented immigrants

Felony drug crimes are of particular interest given the focus in public discourse and prior scholarly work on the potential relationship between immigration and drug crimes (Ousey and Kubrin 2009). However, our analysis in Figure 1.6 shows that the felony drug rate for undocumented immigrants is less than a half of the drug rate for U.S.-born citizens. Moreover, during this time period the felony drug rate for undocumented immigrants appears stable, whereas the rate for U.S.-born citizens increases nearly 30 percent. Thus, not only do undocumented immigrants have substantially lower felony drug rates but their relative contribution to drug crime rate appears to be decreasing. The same general trends are true of legal immigrants, who had a slightly lower rate of felony drug arrests in 2012 compared to U.S.-born citizens. By 2018, however, this gap increased substantially due to the increase in drug crime among native-born citizens.

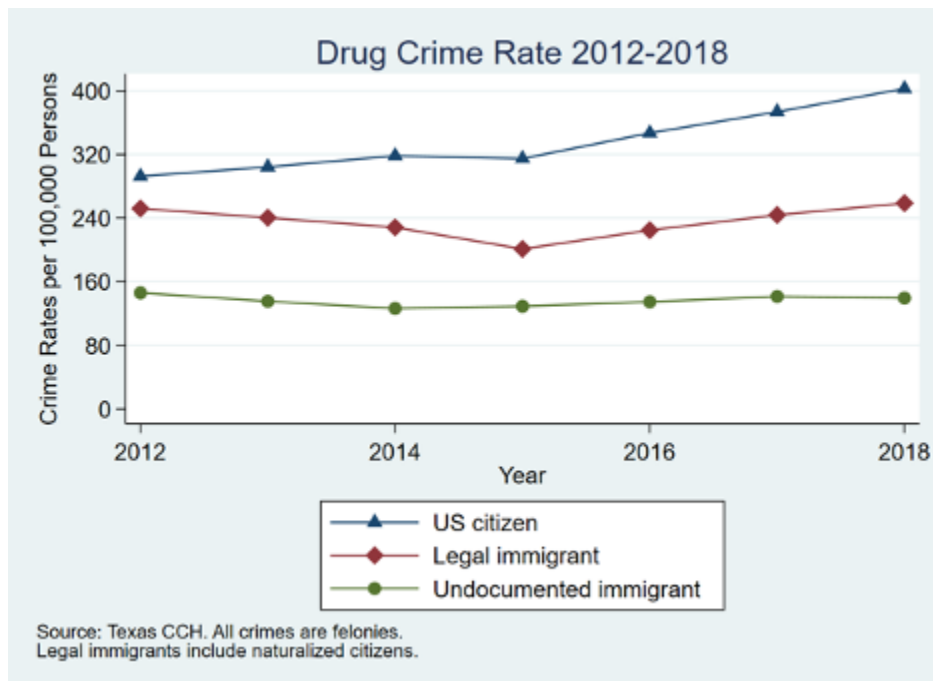


Figure 1.6. Trends of drug crime rates by citizens, legal immigrants and undocumented immigrants

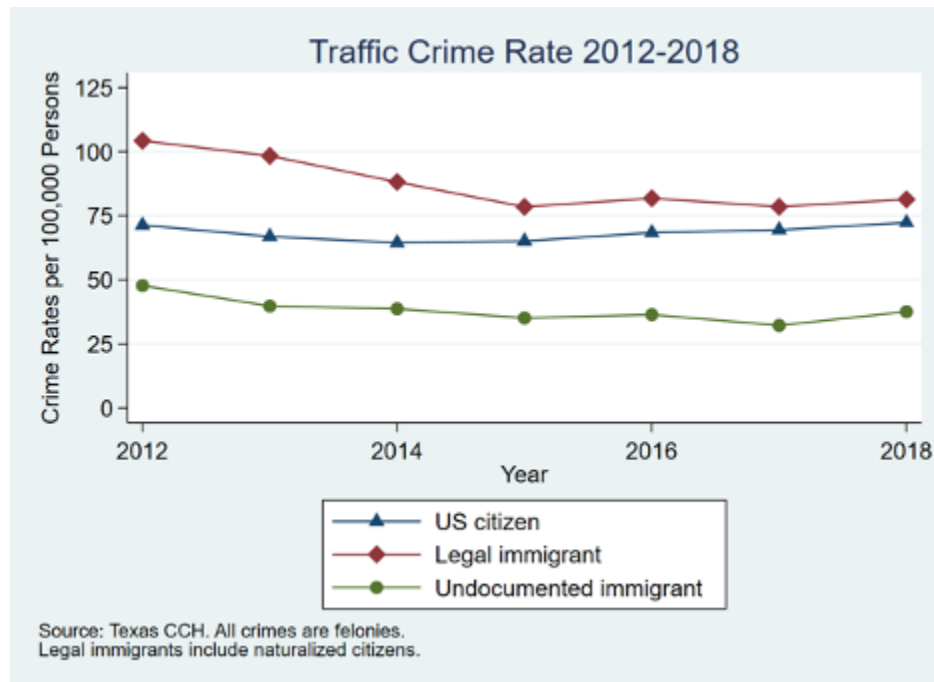


Figure 1.7. Trends of traffic crime rates by citizens, legal immigrants and undocumented immigrants

The last crime category we explore is felony traffic arrests, which includes crimes such as driving while intoxicated, fleeing an accident involving an injury, and undocumented use of a vehicle. It is worth noting that these figures do not include the lesser traffic offenses that are more prevalent for undocumented immigrants, such as driving without a license. The analysis demonstrates, as with other areas of crime, undocumented immigrants have substantially lower rates compared to U.S.-born citizens. Figure 1.7 shows that the felony traffic rates dropped for both undocumented immigrants and native citizens, while the rate for legal immigrants remained relatively stable from 2012 to 2018. The gap between legal immigrants and U.S.-born citizens decreased over this period, whereas the gap between undocumented immigrants and citizens is relatively constant over time.

Sensitivity Analyses

Given the legitimate concerns regarding the accuracy of the estimated size of the undocumented population, we undertake several additional sensitivity analyses. First, to ensure our findings are not dependent on idiosyncrasies in the CMS estimation technique, we replicate our results in the Supporting Information Section III (see Figures S13 and S14) using undocumented figures derived from the Pew Research Center. The results using this alternative data source are substantively unchanged. It bears mentioning, however, that both the Pew and CMS use variants of the residual methodology. Although independent research using multiple methods of triangulation, including death and birth records, have substantiated the general accuracy of the residual methodology (Bachmeier, Van Hook, and D. Bean 2014; Van Hook 2016), it is not without critics.

A particular concern for our analysis would be if the Pew and CMS over-estimate the size of the undocumented population because an inflated denominator would artificially decrease the observed crime rates. To examine this potential source of bias, we gauge the extent to which the undocumented population would have to be reduced to change our findings. By our calculations, in order to reach parity with U.S.-born citizens for violent crimes, the actual undocumented population would have to be less than half (45%) the current estimate in Texas. To reach parity for property crimes, it would have to a quarter (23%) of the current estimate.

In our assessment, these are highly implausible scenarios given that extant research suggests that, if anything, the CMS and Pew produce undercounts. In 2015, for instance, the Department of Homeland Security's estimate of the undocumented population was higher than the Pew and CMS by nearly 1 million partially due to different assumptions regarding the degree of undercount in the ACS (Baker 2018). Recent research by Fazel-Zarandi, Feinstein, and

Kaplan 2018) suggests each of these estimates are too low. In 2016, they estimate the size of the undocumented population to be more than double the CMS and Pew estimates, at 22.1 million. In sum, the available evidence suggests that if our estimates of the undocumented population are biased, they are biased in the direction of undercounting this population. In the presence of such bias, the undocumented crime rates reported in this study would represent substantial *overestimates* of the true scale of undocumented criminality.

There is also the issue of misclassification in the IDENT database. While the combination of CCH and DHS data substantially improves our picture of undocumented criminality, the integrity of the IDENT database warrants discussion. In *Gonzalez v. ICE*¹², the Central District of California ruled in 2019 that ICE could not issue detainers based solely on electronic databases (including IDENT) due to misclassification errors. The implications of such errors are important to consider. To the extent that U.S. citizens and legal immigrants are incorrectly classified as undocumented, our analysis would *overestimate* the arrest rates for undocumented immigrants. In other words, the gap between native-born U.S. citizens and undocumented immigrants would actually be larger than reported here. However, given the concerns regarding undocumented criminality, it is also important to consider the possibility that many undocumented immigrants were not flagged by the IDENT system. In this scenario, our coding may misclassify some undocumented immigrants as legal immigrants. We examine the most extreme interpretation of this possibility by re-calculating the crime rates assuming that *all* noncitizens who were not explicitly designated as “legal” by the DHS are undocumented. In this

¹² *Gonzalez v. ICE*, 416 F. Supp. 3d 995, (C.D. Cal. 2019)

scenario, the crime rates for “undocumented immigrants” by definition increase, but they never reach parity with U.S.-born citizens in violent, property, or drug offenses.¹³

Lastly, it is important to note that arrest rates represent only one metric of criminality and our results could be influenced by differential policing behavior. For example, the increasing reliance on local criminal justice officials to funnel immigrants to federal immigration authorities (Eagly 2013) may alter arrest statistics in ways that do not actually track shifts in underlying criminality. We thus repeat our main analysis in the Supporting Information Section IV using conviction rates, rather than arrest rates. Without exception, the core findings replicate using this alternative crime measure, thus bolstering our empirical inferences (see Figures S15 and S16). Taken together, the battery of sensitivity analyses buttresses the finding that criminality among the undocumented is considerably lower than U.S.-born citizens.

Trend Analysis

Going beyond the visual inspection of criminality over time, we provide formal statistical tests of the extent to which the prevalence of undocumented crime has changed in recent years. Specifically, we use both a linear trend analysis and the Augmented Dickey-Fuller (ADF) test to examine changes in the percentage of undocumented arrest charges from 2012 to 2018. To do so, we first calculate the undocumented proportion of crime by dividing the number of undocumented arrests by the number of total arrests (and multiplied by 100) in a given month for all felonies, violent crimes, property crimes, drug crimes, and traffic crimes. Rather than examining trends in crime counts, our approach examines the contribution of undocumented immigrants to the problem of felony crime in Texas over time, a common metric of disparity in

¹³ In this hypothetical scenario, the felony crime rate from 2012 to 2018 is 761 (per 100,000) for “undocumented immigrants,” 607 (per 100,000) for legal immigrants, and 1046 (per 100,000) for US-born citizens.

criminological research (*For a similar approach examining racial disparities, see Steffensmeier, Feldmeyer, Harris, and Ulmer 2011*). In line with prior studies (O'Brien 1999; LaFree, O'Brien, and Baumer 2006), we log transform the percentage of undocumented immigrant arrests to reduce skewness in the distribution. We confirm the results are not dependent on this methodological choice in Supporting Information Section VIII, where we report substantively similar findings using untransformed percentages.

For the linear trend test, we specify a linear regression model to regress the undocumented crime percentage, $P(t)$, on the monthly time indicator, t . The coefficient of t indicates the basic trend in the prevalence of undocumented immigrant crimes over time. A positive effect suggests a growing prevalence of undocumented immigrant crime, while a negative coefficient suggests a diminishing prevalence of undocumented criminality over time. An insignificant coefficient indicates a lack of a definite trend.

Next, the ADF analysis provides a more robust test of the long-term trend of a time series by removing the influence of short-term shocks and auto-correlation. In order to adjust for autocorrelation, it is necessary to control for a sufficient number of lag terms. Consistent with prior research, we determine the optimal number of lag terms by examining the lag-order selection statistics including final prediction error (FPE), Akaike's information criterion (AIC), Schwarz's Bayesian information criterion (SBIC), and Hannan and Quinn information criterion (HQIC). We then use the *dfuller* command in STATA to specify the optimal number of lag terms flexibly. In the following table, we report the coefficient on the time trend terms after accounting for lag terms, as well as the t score of the ADF test for stationarity following the recommendations of O'Brien (1999) and LaFree et al. (2006).

The results of both the linear trend analysis and the more robust ADF test reported in Table 1.1 demonstrate that the monthly trends in undocumented immigrant criminality are either a random walk or decreasing for each offense type (full results reported in Tables S6 and S7). In the linear trend analysis, the time coefficients are all negative and statistically significant, with the exception of the violent crime model, which is negative but not significant. This suggests that during the observation period, the undocumented immigrant share of arrests for all felonies, property, drug, and traffic crimes systematically decreased.

The ADF tests produced similar results. The prevalence of undocumented immigrants among total felony arrests and violent felonies was trendless or a random walk. Meanwhile, the ADF tests for property, drug and traffic offenses suggest a decrease in the prevalence of undocumented criminality. Combined, there is no evidence that the prevalence of undocumented immigrant crime has grown for any category. If anything, the trend analyses suggest the opposite.

Table 1.1. Trends in the log-transformed undocumented percentage of arrest charges: Augmented Dickey-Fuller Time-Series test and linear trend test results

Undocumented percentage	Estimated value	Trend	Type	Number of lag terms
ADF test				
Total Felony	-0.002	Trendless	Random walk	3
Violent	-0.001	Trendless	Stationary	0
Property	-0.002*	Decrease	Stationary	0
Drug	-0.003*	Decrease	Random walk	3
Traffic	-0.003**	Decrease	Stationary	1
Linear trend Test				
Total Felony	-0.002***	Decrease		
Violent	-0.001	Trendless		
Property	-0.002**	Decrease		
Drug	-0.004***	Decrease		
Traffic	-0.003***	Decrease		

* $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$

Discussion

Criminality among the undocumented is a paramount social science concern. Yet, despite substantial public and political attention, extant research has established surprisingly few empirical findings on the criminological impact of undocumented immigration. Leveraging a unique combination of data from the Texas Department of Public Safety and the Department of Homeland Security, this study sheds light on this understudied area of inquiry. Our analysis reveals two broad conclusions about the criminality of undocumented immigrants. First, undocumented immigrants have substantially lower rates of crime compared to both native U.S. citizens and legal immigrants. Second, over the seven-year period from 2012 to 2018, the proportion of arrests involving undocumented immigrants in Texas was relatively stable or decreasing.

Taken together, these results have important theoretical and policy implications. Regarding public policy, these findings clearly run counter to some of the basic assumptions behind strict immigration enforcement strategies. Debates about undocumented immigration will no doubt continue, but they should do so informed by the available evidence. The results presented here significantly undermine the claims that undocumented immigrants pose a unique criminal risk. In fact, our results suggest that undocumented immigrants pose substantially less criminal risk than native U.S. citizens.

More specifically, this analysis helps explain why immigration enforcement programs have largely failed to deliver on their public safety claims. Prior research examining the Secure Communities program, for example, found that it had no discernable impact on crime rates despite the fact that it was active in nearly every county by 2013 and it substantially increased the number of undocumented immigrants deported from the U.S. (Miles and Cox 2014; Treyger,

Chalfin, and Loeffler 2014). Such findings are unsurprising in light of our results. That is, removing those with relatively low felony crime rates is unlikely to reduce the overall risk of criminal victimization. It is likely precisely for this reason that the significant surge in immigration enforcement in Texas under President Trump (Bialik 2018) has not yielded significant crime reductions.¹⁴

Despite substantial barriers to economic mobility coupled with considerable criminological risk factors such as low educational attainment and high poverty, the fact that we observe lower crime rates among undocumented immigrants has important implications for current theorizing on immigration and crime. Although our data cannot identify the mechanisms driving this relationship, we think insights from theories of assimilation, selection, and deterrence are each potentially relevant.

Regarding assimilation theory, assimilation often refers to the tendency for immigrants to adopt the cultural and social values of their host country, particularly as their amount of exposure to the country's social and cultural context increases. The term "assimilation" has been critiqued in recent years, but the general findings regarding the tendency of immigrants to gradually look more like the native citizens of their host country over time remain (Alba and Nee 2003). In particular, one persistent finding in criminology is that first-generation immigrants tend to be less crime-prone than their native peers, whereas second and third generation immigrants look more like their native peers in their criminal behaviors (Bersani 2014). Another common finding in the literature is that immigrants brought to the U.S. as younger children tend to have higher rates of adolescent and adult criminality than those brought as older children (Berardi and Bucerius.

¹⁴ Comparing the 2017-18 period to the 2015-16 period, the felony crime rate in Texas increased by 67 (per 100,000). For drug and violent felonies over this same period, the rates increased by 52 and 8 (per 100,000), respectively.

2014). In a criminological context, assimilation theory suggests that as immigrants become more assimilated to the U.S. culture, they adapt to the criminal behaviors of native citizens. Since undocumented immigrants are by definition first generation and on average have fewer years of residence in the U.S. compared to legal immigrants, assimilation theory would predict lower crime rates for undocumented immigrants.

Our findings are also consistent with research on the selective nature of migration, which suggests that immigrants tend to fare better on multiple social indicators than would be expected by their level of socioeconomic disadvantages (Sampson 2008). In addition, many undocumented immigrants are driven by economic and educational opportunities for themselves and their families and the decision to migrate necessarily requires a considerable amount of motivation and planning. As such, undocumented immigrants may be selected on qualities such as motivation to work and ambition to achieve, attributes that are unlikely to predispose them towards criminality (Butcher and Morrison Piehl 2007).

The consequences of criminal sanctions due to their precarious legal status may also be relevant. Far more than legal immigrants, undocumented immigrants have strong incentives to avoid criminal involvement for fear of detection and deportation. In this regard, lower rates of crime for undocumented individuals are consistent with a deterrence-based argument, whereby undocumented immigrants face considerably harsher sanctions (mainly deportation) from criminal wrongdoing compared to their citizen and legal immigrant counterparts.

Taken together, these perspectives – assimilation, selection, and deterrence – help us understand why the observed crime rates for undocumented immigrants were considerably lower than for legal immigrants and native-born citizens. Each, in turn, offers a fruitful avenue for further research on undocumented immigration and crime.

Supporting Information (SI)

Online supporting information, tables and figures can be found here:

<https://www.pnas.org/doi/10.1073/pnas.2014704117>

Section II: The Empirics of Immigration and Violence

Immigrant criminality, especially serious criminality (e.g. homicide), is one of the most controversial issues in U.S. society. Concerns over crime and public safety have not only motivated some of the most divisive immigration policies in recent decades,¹⁵ but continue to be at the fore of current political and legal debates. In his 2019 State of the Union address, for example, former President Trump stated, “year after year, countless Americans are murdered by criminal illegal aliens.” And as recently as January of 2021, the Texas Attorney General sued the federal government for proposing a 100-day moratorium on most deportations, arguing that “A near-complete suspension of deportations would only serve to endanger Texans and undermine federal law” (Paxton 2021).¹⁶

Against this backdrop, it is unsurprising that the study of immigration and crime has been a key focus of criminological inquiry. Research in this area tends to fall within two broad categories. The first examines the macro-level relationship between immigration and crime at multiple units of aggregation (e.g. counties, cities, neighborhoods, etc.). A recent meta-analysis of this body of work by Ousey and Kubrin (2018) found that the overall relationship between

¹⁵ In defending the passage of Arizona’s controversial SB 1070 law, which required that state law enforcement officers attempt to determine an individual’s immigration status during a lawful stop, then Governor Jan Brewer stated “We cannot afford all this illegal immigration and everything that comes with it, everything from the crime and to the drugs and the kidnappings and the extortion and the beheadings and the fact that people can’t feel safe in their community. It’s wrong!” (Farley 2010). The Department of Homeland Security’s Secure Communities Program (S-Comm) is another prominent example. This program was designed as crime fighting initiative to enhance the ability of Immigration and Customs Enforcement (ICE) to identify and deport criminal aliens by checking the biometric information from arrested suspects in state and local jurisdictions for immigration violations (Miles and Cox 2014).

¹⁶ An amicus brief filed in this case on behalf of Advocates for Victims of Illegal Alien Crime further argued “DHS’s abdication of its duties will surely make these crime statistics increase and Texas will be left picking up the pieces. The State of Texas and her citizens pay the price for these crimes in the form of the victim’s emotional toll and the tax dollars spent processing the accused through the justice system and ultimately incarcerating them in Texas’ prisons. These are crimes that would not have occurred if these individuals were not in the country” (Civil Action No. 6:21-cv-0003, Document 77).

immigration and crime was negative and weak, but this association varied considerably depending on the type of crime, the unit of analysis, and the temporal design of the study. While this research evidences both theoretical depth and methodological sophistication, it can only indirectly speak to the central question motivating much of the ongoing controversy regarding immigrant criminality: do immigrants commit a disproportionate share of serious crime relative to native-born Americans?

The second body of research helps partially answer this question using micro-level data to compare the criminality of immigrants and native-born U.S. citizens, often using a variety of youth surveys. This research generally finds lower criminal involvement among immigrants relative to their native-born peers (Stowell and Dipietro 2014), a result replicated in well-known surveys such as the Project on Human Development in Chicago Neighborhoods (PHDCN) (Sampson, Morenoff and Raudenbuch 2005), the Children of Immigrants Longitudinal Study (CILS) (Rumbaut, Massey and Bean 2006), the National Longitudinal Survey of Youth (NLSY) (Bersani 2014), and the National Longitudinal Study of Adolescent to Adult Health (Add Health) (Rima, Yerbol, Batyrbek, Oynbassar, and Beaver 2019). Despite the valuable contributions from this scholarly corpus, important gaps remain in our understanding of immigrant criminality. Most notably, few surveys allow for a detailed examination of the most serious forms of violence, such as homicide, due to the fact that homicides are rare relative to other forms of crime and surveys of self-reported delinquency often exclude many of the most serious offenses (Hindelang, Hirschi, and Weis 1979).

It is likely for this reason that much of the research on homicide draws from official crime statistics, such as the FBI's Supplementary Homicide Reports (Tostlebe et al. 2021).¹⁷ When it comes to immigration research, however, most official crime sources have proved inadequate due to the lack of information on immigration status. Among the most widely utilized crime data sources, neither the Uniform Crime Reports, the National Crime Victimization Survey, nor the National Incident-Based Reporting System record information about nativity or immigration status. In several respects, data quality has gotten worse. For example, in 2016 California, Nevada, New Hampshire, North Dakota, and Oregon did not report information on the number of immigrants in their prison populations to the Bureau of Justice Statistics (BJS), while other states "likely provided undercounts" (Carson 2018: 13). The few studies that have leveraged official crime statistics to examine homicide offending by immigration status are often drawn from a single, highly select jurisdiction (e.g. Miami) (Martinez and Lee 2000; Nielson and Martinez 2011; but see Light, He, and Robey 2020 for an exception).

Thus, dual data constraints obscure the picture of immigration and homicide: surveys that include immigrant criminality rarely inform our understanding of serious violence, while official crime statistics often omit information on immigration status. The result is that we lack information on basic questions regarding the comparative rates of lethal violence between immigrants and U.S.-born citizens. Our goal in this study is to fill this gap. Using uniquely detailed criminal history information for all arrests in California and Texas between 2006 and 2018, we aim to provide the empirical foundation for a general criminological literature on the immigration-homicide nexus by establishing the facts about its key dimensions: do immigrants

¹⁷ A related body of research examines homicide victimization rates using death certificates (Light and Ulmer 2016; also see Tostlebe et al. 2021 for a useful discussion of using death certificates in homicide research).

have more violent criminal pasts than native-born citizens? How does the immigrant homicide rate compare to the native-born rate? Do these relationships differ by race, ethnicity, or national origin? How have immigrant homicide rates changed in recent years? Is the homicide rate different for undocumented immigrants? Given the amount of public and political acrimony surrounding immigrant criminality, systematic answers to each of these questions are long overdue.

Data

California and Texas are advantageous research settings for understanding crime and immigration. They are home to roughly 20 percent of the total US population and 35 percent of the immigrant population.¹⁸ Both states are also sites of intense federal immigration enforcement initiatives. Indeed, the federal government paid California more than any other state to hold criminal aliens in 2017, and Texas the third most.¹⁹ Interestingly, however, California and Texas have taken markedly different approaches to collaborating with federal immigration authorities in recent years. Perhaps nowhere is this juxtaposition better illustrated than in the immigration-related bills both states passed in 2017. In that year, Texas legislators signed SB 4 into law which attempted to abolish “sanctuary” policies by holding local officials criminally liable for refusing to accommodate the federal government’s requests to help enforce immigration law (Hing 2017). California, on the other hand, enacted SB 54, declaring the state a “sanctuary” by limiting cooperation with immigration authorities and preventing state and local police from holding people for immigration violations alone (Ulloa 2017). These differences provide a potentially

¹⁸ April 2010 Census Table 1. Annual Estimates of the Resident Population for the United States, Regions, States, and Puerto Rico: April 1, 2010 to July 1, 2019 <https://www.census.gov/data/tables/time-series/demo/popest/2010s-state-total.html> Accessed February 23rd 2021

¹⁹ <https://bja.ojp.gov/program/state-criminal-alien-assistance-program-scaap/archives>

interesting contrast for informing how state-level contexts condition the immigration-homicide relationship.

Our Texas data come from the Computerized Criminal History (CCH) database provided by the Texas Department of Public Safety (DPS), which by law requires local jurisdictions to provide case processing information for all felony, class A, and class B misdemeanor arrests throughout the entire state. The CCH includes rich information on the defendant, date of arrest, arresting agency, level of offense, criminal status, and the complete criminal history over a person's lifetime. Critical for our inquiry, inquiries into citizenship and place of birth are mandatory parts of the jail booking process in Texas and thus included in the CCH database. In addition, starting in June 2011, the DPS started collecting immigration status information from the Department of Homeland Security, which runs the biometric information on arrestees through the DHS' IDENT database so that Immigration and Customs Enforcement can determine the person's immigration status and whether the individual is a priority for removal. In our analysis, we define native-born citizens as those who were born in the United States, are U.S. citizens and are not recorded in the CCH database as "legal" or "illegal" immigrants. All other individuals are classified as immigrants. We also conduct sub-analyses where we examine heterogeneity among immigrants according to the CCH classifications of undocumented and lawful immigrants. For technical details on the CCH data, see Light, He and Robey (2020).

The primary data source for California is the Criminal Offender Record Information (CORI) provided by the California Department of Justice. Like the CCH, the CORI database contains information on citizenship and nativity and is legally required to include complete criminal records for those with criminal justice contact throughout California. Unlike the Texas

database, CORI does not include information on legal status and thus our inquiry into differences by documentation status centers on Texas.

In both the CCH and CORI datasets, we focus on violent and homicide arrest charges.²⁰ To harmonize the crime definitions across states, we use the National Crime Information Center (NCIC) offense classifications.²¹ The sole difference between our approach and the NCIC codes is that we exclude misdemeanor offenses in our definition of homicide and violent crimes. We classify felony arrests with offense codes listed as ‘violent crime’ as our measure of violence (this includes homicide, kidnapping, sexual assault, robbery, simple and aggravated assault, terroristic threat, and extortion with human injury). Felony arrests for murder and negligent manslaughter are classified as homicides. These measures serve as the numerators for our crime rate calculations.²² Population figures come from the U.S. Census’ American Community Survey

²⁰ We restrict the sample by omitting juvenile offenders. In Texas, the age in which an offender can be tried as an adult is 17 and in California the age is 16 (Interstate Commission for Juveniles).

²¹ We use the following NCIC definitions (<https://secure.ssa.gov/poms.nsf/lnx/0202613900>).

²² We externally validated the crime statistics reported here with official published reports in each state. In Texas, we compare our arrests with the total number of arrests published by the DPS. From 2006 to 2018 we have a correlation of 0.97. Regarding the homicide rates, we also compare those to the official DPS reports (Texas Crime Analysis 2 for years 2010-2018 and the Annual Report of UCR reporting for years 2006-2009). However, it should be noted that they do not use the same definition as we do as they report a murder rate rather than a homicide rate. The most important difference is that we include any individual who was arrested regardless if the arrest led to a conviction or if the classification changed later on in the prosecution process once more evidence becomes available, while these reports report a crime rate rather than an arrest rate. Cleared cases and multiple offenders would not be reflected in the Texas DPS statistics. Furthermore, the yearly murder rates reported by DPS are slightly different as they report a murder rate as “Attempted murder and assaults with the intent to kill are not counted as murder, but are included in UCR as aggravated assaults. Suicides, accidental deaths, and justifiable homicides are also excluded from the murder classification.” Over our study period, our homicide rate and the DPS murder rate show a correlation of 0.75.

In California, we compare our figures with those in the *Crime in California 2018* report published by the California Department of Justice (California Department of Justice 2019). The crime statistics in our data show some differences with the California DOJ. The overall violent crime rate between 2006 and 2018 is 180.1 and the homicide rate is 7.6, which is different from the statistics in *Crime in California 2018* (444.1 for violent crime rates and 5.1 for homicide rates during the same period). This difference can be attributed to four main factors. First and foremost, the definition of homicide and violent crimes in the reports use the UCR classifications rather than the NCIC crime codes. When we apply the UCR definitions of homicide and violent crime to the CORI data, our results satisfyingly close to those reported in the *Crime in California 2018* report. Second, the crime rates collected from our data are not based on

(ACS) 1-year estimates.²³ Consistent with common usage, we classify individuals as non-immigrants if they were born in the US or were born abroad to American parents. Naturalized and non-U.S. citizens are both classified as immigrants in our study. We use the same classifications for both Texas and California to get their respective total immigrant population counts as well as the native-born citizen count. Regarding undocumented immigrants, the ACS does not provide estimates of documented and undocumented immigrants. We thus use data from the Center Migration Studies (CMS), which provides annual estimates of the undocumented population by state and is one of the primary data sources in previous research on undocumented immigration and crime (Light and Miller 2018; Light, He and Robey 2020).

Violent and Homicide Rates

Figure 2.1 displays violent felony crime and homicide rates between 2006 and 2018 in Texas by immigration status. Beginning with violent crimes in the top panel, across the entire study period US-born citizens are moderately more likely to be arrested for a violent felony (per 100,000). Over time, this gap has widened. In 2006, the violent crime rate among immigrants was roughly 15 percent less than the violent crime rate among non-immigrants. By 2018, the immigrant rate of violence was 33 percent less, largely due to an increase in violent arrests among U.S. born citizens (from 190.3 per 100,000 in 2006 to 230.7 in 2018) and a steady rate of violence among

reporting of crimes but on actual arrests made for crimes and there could be multiple offenders for the same reported crime. In California, 15% of the homicide cases had the same arrest agency and the arrest date. Considering multiple offenders could be arrested on different dates, the possibility of multiple offenders in one crime could be even larger. Unfortunately, we do not have information on how multiple offenders are involved in one crime to examine the impact of this possibility. Third, the unit of analysis being a charge rather than an arrest also likely helps explain the difference between our analysis and the California DOJ. Lastly, we focused on felony offenses to define violent crimes, which is different from *Crime in California 2018*. Combined, these factors help explain the aforementioned differences. Even so, our trends over time are similar to the official reports, showing the steady decrease of violent crime and homicide rates since 2006 (correlation: 0.86 for violent crime and 0.9 for homicide). This gives evidence to believe that the examined pattern here shows consistency with external sources.

²³ Accessed via IPUMS (<https://usa.ipums.org/usa/>).

immigrants (from 162.5 per 100,000 in 2006 to 155.1 in 2018). Turning to the bottom panel, the homicide rate among immigrants and non-immigrants slowly decreased in Texas over this period. Like the overall rates of violence, immigrants consistently exhibit lower rates of homicide offending than U.S. born citizens (though the gaps are relatively modest in most years).

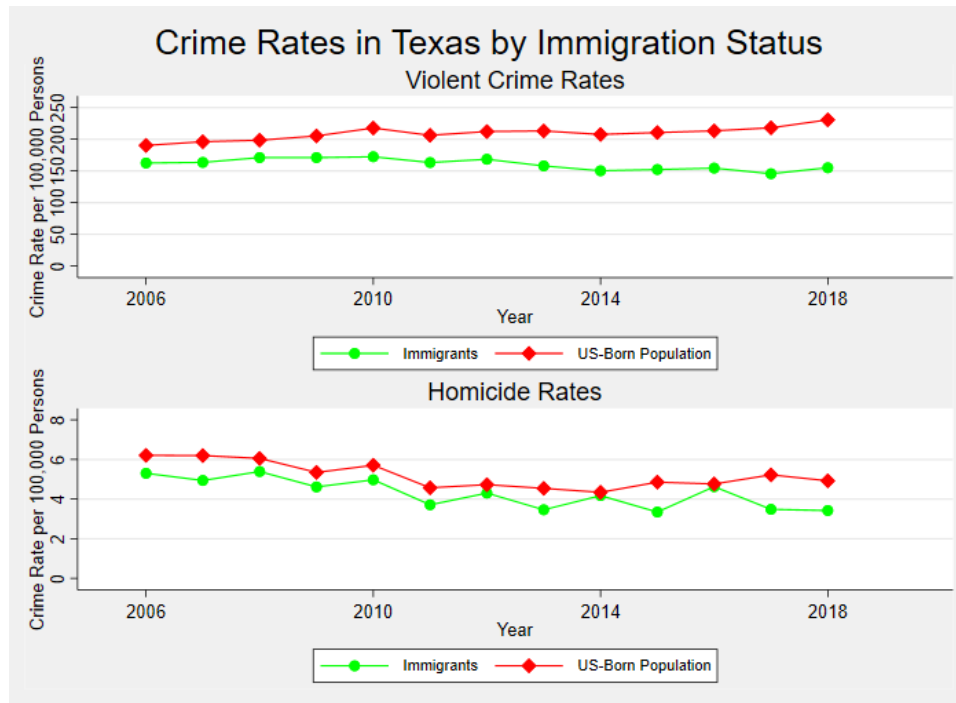


Figure 2.1: Crime Rates in Texas by Immigration Status, 2006-2018

Turning to Figure 2.2, the relative offending gap between immigrants and nonimmigrants in California is more noticeable. Between 2006 and 2018, the violent crime rates per 100,000 individuals were 205.9 for the US-born population and 110.5 for immigrants. Stated differently, the US-born population is about 1.9 times more likely to be arrested for violent crimes than immigrants. For homicides (bottom panel), the rates for U.S. born citizens and immigrants over this period were 8.7 and 4.5 (per 100,000), respectively. Correspondingly, US-born population is also 1.9 times more likely to be arrested for homicide compared to immigrants in California. Over time, we observe a general crime decline, but this trend is stronger among immigrants. The

decrease in violent crime is around 10% for the US-born population (216.3 in 2006 and 196.7 in 2018), but about 45% for immigrants (157.6 in 2006 and 87.4 in 2018). The homicide rate shows a similar pattern. Homicide rates decreased by about 35% for the US-born population (10.4 to 6.8), while the decline among immigrants was considerably more marked (60%; from 7.4 to 3.0).

Comparing Figures 2.1 and 2.2, we see that since 2010 the immigrant homicide rates in Texas and California are comparable. This is not the case for violent crime, however, where immigrants generally exhibit lower violent arrest rates in California relative to Texas. The magnitude of this difference is sizable. Between 2006 and 2018, the immigrant violent arrest rate in California was 31 percent less than in Texas (compare 110.5 per 100,000 in California to 160.7 per 100,000 in Texas).

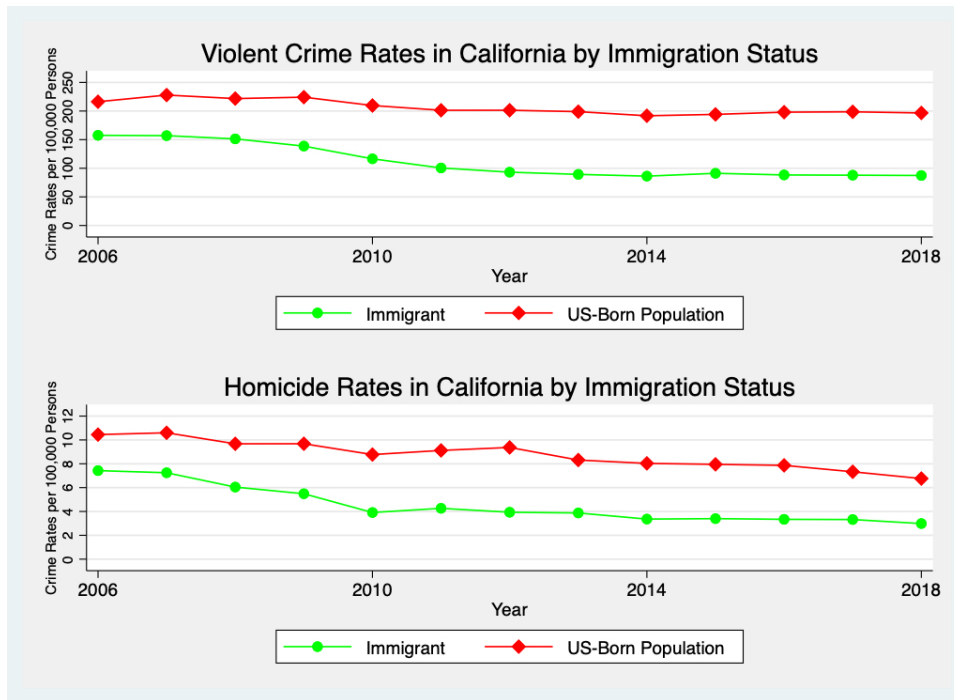


Figure 2.2: Crime Rates in California by Immigration Status, 2006-2018

Race, Ethnicity, and National Origin

Table 2.1 shows the homicide rates by race and ethnicity for immigrants in Texas. For this analysis, we use the average number of homicides between 2014 and 2018 to ensure enough cases for this more fine-grained analysis (we also use the average population of each racial/ethnic group in Texas over this same period). Not only do we observe significant differences across racial groups, but also substantial differences by immigration status among those in the same racial category. For whites, the homicide rate among immigrants is considerably higher (the gap is -4.10 per 100,000). For Hispanics and Asians, the homicide rates for immigrant and U.S.-born citizens are comparable. Among Black individuals, however, the homicide rates are substantially higher for U.S.-born individuals; on the magnitude of over 3 times higher than the homicide rate of Black immigrants. This same pattern is true among other race individuals, but to a lesser extent (the U.S.-born homicide rate among other races is only ~2 times greater than other race immigrants in Texas).

Table 2.1 also shows homicide rates by national origin in Texas. For this analysis, we examine the ten largest immigrant groups by population between 2014 and 2018. It is clear that immigrants from all ten of the listed countries have lower homicide rates than native-born U.S. citizens. Among these groups, however, there is considerable variation, ranging from 3.9 (per 100,000) among Guatemalan immigrants to 0 among Chinese immigrants. This latter finding is noteworthy. Over a 5-year period there was not a single recorded homicide arrest of a Chinese immigrant in Texas, despite having a yearly average population of 103,190 during this time. Mexico is by far the largest immigrant group living in Texas with a yearly average of roughly 2.5 million between 2014 and 2018. However, three countries of origin have a higher homicide rate than Mexico (2.2): Honduras (2.7), El Salvador (3.6), and Guatemala (3.9).

Table 2.1. Homicide Rates by Socio-Demographic Groups: Texas, 2014-2018

Immigrant Status and Race/Ethnicity			
	US-Born	Immigrant	Difference
White	2.69	6.79	-4.10
Black	10.95	3.56	7.39
Hispanic	3.32	3.43	-0.11
Asian	0.54	0.62	-0.08
Other Race	1.32	0.67	0.65
Overall	4.82	3.81	1.01

National Origin			
Country	Homicide	Country	Homicide
Guatemala	3.85	India	0.64
El Salvador	3.63	Pakistan	0.70
Honduras	2.71	Vietnam	0.23
Mexico	2.19	Philippines	0.19
Nigeria	0.80	China	0.00

Note: The unit of analysis is a charge at arrest, not an individual. Immigrants include naturalized U.S. citizens.

Table 2.2 shows how the immigration gap in homicide rates differs by race and ethnicity in California from 2014 to 2018. Immigrants show lower homicide rates across all racial groups except for ‘other races,’ partly due to its small size and thus higher influence of outliers (the immigrant gap among the White population: 2.1, the Black population: 15.1, Hispanic: 13.8, Asian: 1.3, and other race: -8.9). Furthermore, we examine homicide differences by national origin among immigrants. Like Texas, we focused on the top 10 countries of origin by population size in California. Not surprisingly, the focal countries are Latin American and Asian. The results suggest that immigrants from Latin American countries (El Salvador: 4.6, Mexico: 4.4, Guatemala: 2.9) tend to have higher homicide rates than immigrants from Asian countries (Korea: 1.8, Vietnam: 1.5, Philippines: 0.9, China: 0.9, Iran: 0.7, India: 0.5, Taiwan: 0.3). However, immigrants from all the focused countries show lower homicide rates than the US-born population (7.6 from 2014 to 2018).

Table 2.2. Homicide Rates by Socio-Demographic Groups: California, 2014-2018

Immigrant Status and Race/Ethnicity			
	US-Born	Immigrant	Difference
White	2.75	0.65	2.10
Black	29.05	13.98	15.07
Hispanic	24.65	10.85	13.79
Asian	2.05	0.71	1.34
Other Race	3.51	12.36	-8.85
Overall	7.58	3.28	4.30
National Origin			
Country	Homicide	Country	Homicide
El Salvador	4.55	Philippines	0.89
Mexico	4.43	China	0.85
Guatemala	2.93	Iran	0.74
Korea	1.78	India	0.49
Vietnam	1.48	Taiwan	0.32

Note: The unit of analysis is a charge at arrest, not an individual.

Criminal History Profile

Tables 2.3 and 2.4 answer questions about the extensiveness of immigrants’ criminal records relative to native citizens. Specifically, they report the number of prior felony and misdemeanor arrests, prior arrests for violence, prior felony and misdemeanor convictions, and previous prison sentences by immigrant status. The tables include the criminal history profiles for individuals arrested between 2006 and 2018, though it is important to note that arrests, convictions, and incarcerations that occurred before 2006 are included in these records.²⁴

Table 2.3 shows the criminal histories in Texas. Prior to the current offense, immigrants who are arrested for a violent crime had fewer arrests and convictions than U.S.-born citizens (shown on the left side of Table 2.3). Specifically, the results show that on average native-born

²⁴ All criminal history measures are capped at 10 to reduce the influence of outliers.

citizens have almost twice as many prior arrests than immigrants (3.9 for U.S. citizens and 2.1 for immigrants) and over twice as many past felony convictions (0.6 for U.S. citizens and 0.3 for immigrants). Perhaps more important for our inquiry, U.S.-born citizens are nearly two times more likely to have been arrested for a prior violent felony than immigrants (0.7 for U.S.-born citizens and 0.4 for immigrants).

The results among homicide offenders on the right panel of Table 2.3 tell a similar story. On average, immigrants tend to have fewer arrests, convictions and prison sentences prior to being arrested for a homicide. Interestingly, the number of prior violent arrests is quite small for both groups (0.7 for citizens and 0.4 for immigrants) but there is substantial overlap in the distribution as indicated by the relatively large standard deviations (1.5 for citizens and 1.1 for immigrants).

Table 2.4 displays criminal histories for arrestees by immigration status in California. Consistent with the findings in Texas, among those arrested for a violent crime, immigrants have considerably fewer prior criminal cases. Throughout the various measures of criminal history, including prior violent arrests, the US-born population tends to have between 1.5 and 2.5 times as many prior cases as immigrants. We observe essentially the same pattern among homicide cases, where the criminal histories among immigrants tend to be considerably less severe.

Table 2.3. Arrest/Conviction Histories of Violent Crime and Homicide Cases by Immigration Status: Texas

	Violent Crime				Homicide			
	US-Born Population		Immigrants		US-Born Population		Immigrants	
	Mean	S.D.	Mean	S.D.	Mean	S.D.	Mean	S.D.
Number of prior arrests	3.89	3.56	2.09	2.81	3.44	3.37	1.94	2.70
Number of prior violent felony arrests	0.72	1.56	0.39	1.21	0.66	1.48	0.36	1.07
Number of prior misd. arrests	2.41	2.73	1.37	2.09	1.86	2.36	1.06	1.72
Number of prior felony arrests	1.46	2.03	0.69	1.41	1.43	1.96	0.77	1.51
Number of prior misd. convictions	1.68	2.39	0.86	1.66	1.24	2.01	0.65	1.36
Number of prior felony convictions	0.63	1.36	0.26	0.81	0.61	1.28	0.28	0.85
Number of prior sentences	0.49	1.03	0.17	0.58	0.49	1.01	0.19	0.60
Observations	594,159		89,584		14,637		2,374	

Note: The unit of analysis is a charge at arrest, not an individual. Immigrants include naturalized U.S. citizens.

Table 2.4. Arrest/Conviction Histories of Violent Crime and Homicide Cases by Immigration Status: California

	Violent Crime				Homicide			
	US-Born Population		Immigrants		US-Born Population		Immigrants	
	Mean	S.D.	Mean	S.D.	Mean	S.D.	Mean	S.D.
Number of prior arrests	3.87	4.08	2.48	3.02	2.99	3.23	1.90	2.19
Number of prior violent felony arrests	0.74	1.33	0.40	0.93	0.57	0.99	0.33	0.70
Number of prior misd. arrests	1.37	2.26	0.86	1.75	0.88	1.67	0.54	1.20
Number of prior felony arrests	2.51	2.45	1.62	1.76	2.11	2.15	1.37	1.45
Number of prior misd. convictions	2.19	2.94	1.61	2.49	1.57	2.44	1.21	2.05
Number of prior felony convictions	2.15	3.16	1.05	2.22	2.05	3.01	1.06	2.11
Number of prior sentences	1.07	2.12	0.44	1.33	1.05	1.97	0.47	1.22
Observations	1,438,067		314,419		33,053		6,539	

Note: The unit of analysis is a charge at arrest, not an individual.

Undocumented Immigrants

Going beyond immigration status, Table 2.5 shows the criminal history profiles for violent felony arrests and homicide arrests by legal status. It is important to note that this table only includes those arrested between 2012 and 2018 due to the lack of legal status information prior to this time. The results in Table 2.5 display a clear trend: native born citizens are arrested and convicted of more crimes prior to either a homicide or a violent arrest than documented or undocumented immigrants. Prior to a homicide arrest or a violent felony arrest, native-born citizens have over 1.5 times as many previous arrests as documented immigrants. Relative to undocumented immigrants, U.S.-born citizens have about 3 times as many prior arrests. This difference is more glaring when looking at prior violent felony arrests. Prior to an arrest for a violent crime, U.S.-born citizens are roughly 4 times more likely to have been previously arrested for a violent felony than undocumented immigrants. Among those arrested for homicide, U.S. born citizens are twice as likely to have a violent felony arrest in their criminal history than undocumented immigrants. Focusing on the two immigrant groups, without exception, undocumented immigrants have less extensive criminal histories than documented immigrants.

Table 2.5. Arrest/Conviction Histories of Violent Crime and Homicide Cases by Documentation Status: Texas

	Violent Crime						Homicide					
	US-Born Population		Documented Immigrants		Undocumented Immigrants		US-Born Population		Documented Immigrants		Undocumented Immigrants	
	Mean	S.D.	Mean	S.D.	Mean	S.D.	Mean	S.D.	Mean	S.D.	Mean	S.D.
Number of prior arrests	4.05	3.61	2.53	3.11	1.31	2.00	3.60	3.46	2.27	3.04	1.36	1.81
Num. of prior violent felony arrests	0.82	1.68	0.53	1.44	0.19	0.77	0.73	1.55	0.43	1.18	0.35	0.98
Number of prior misd. arrests	2.61	2.85	1.68	2.39	0.93	1.55	2.05	2.52	1.26	1.92	0.87	1.43
Number of prior felony arrests	1.60	2.17	0.92	1.68	0.37	0.96	1.59	2.12	0.96	1.86	0.45	0.77
Number of prior misd convictions	1.81	2.51	1.02	1.88	0.61	1.28	1.37	2.18	0.76	1.55	0.50	1.04
Number of prior felony convictions	0.71	1.48	0.35	1.00	0.12	0.53	0.68	1.40	0.37	0.97	0.10	0.39
Number of prior sentences	0.51	1.08	0.23	0.69	0.07	0.33	0.52	1.07	0.24	0.71	0.06	0.29
Observations	343,5557		37,863		11,940		7,624		1,002		230	

Note: The unit of analysis is a charge at arrest, not an individual. Years 2012-2018. Documented Immigrants include naturalized U.S. citizens.

Moving beyond prior criminality, how do crime rates compare for those with different legal statuses? The top and bottom panels of Figure 2.3 answer this question by showing violent felony arrests and homicide arrests by legal status in Texas.²⁵ The obvious pattern is that the violent crime rates for undocumented and documented immigrants have been lower than those of native-born citizens in recent years. Undocumented immigrants have substantially lower violent crime rates than both documented immigrants and US-citizens. The rates for violence for each group are fairly steady over this period. Rates for homicide, on the other hand, tell a different story. Undocumented immigrants, again have lower rates than both lawful immigrants and native-born citizens. However, the homicide rate for documented immigrants fluctuates much more and is at times higher than the rate of US-citizens (2012-2014, and 2016). The rate for the US born population is relatively stable over the studied period, while the homicide rate for undocumented immigrants hovers around 2 (per 100,000) until 2016 and then increases to roughly 3 in 2017 and 2018.

²⁵ Homicide trends for each group and overall pattern are consistent with Light, He and Robey (2020). See Light, He and Robey (2020) Appendix Section 2 Figure S1 for a similar graph using a slightly different definition of homicide.

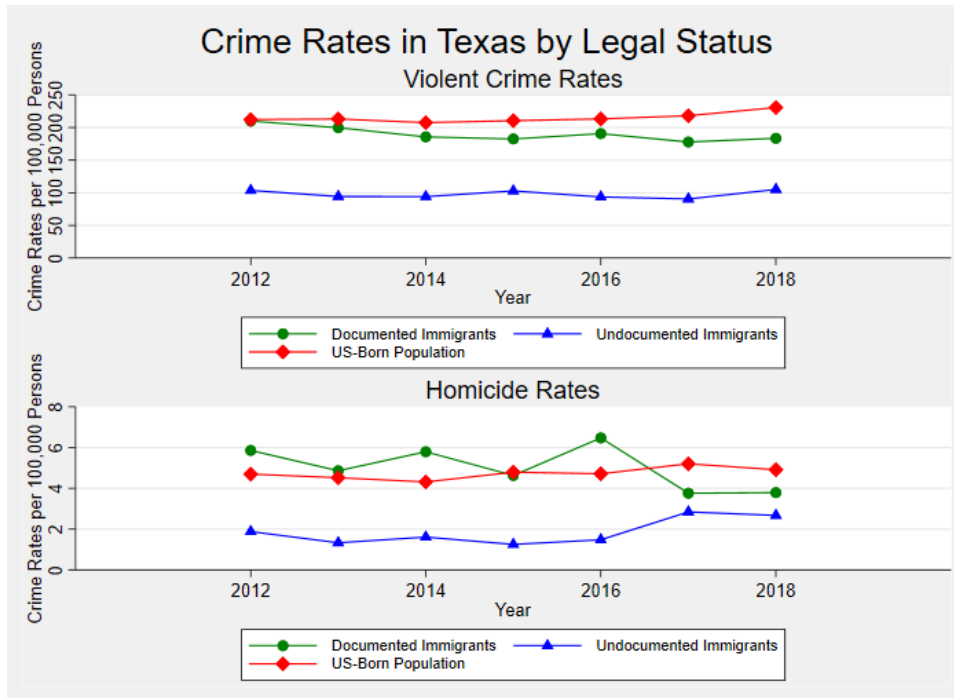


Figure 2.3: Crime Rates in Texas by Legal Status, 2012-2018

Discussion

This section leverages rich criminal justice data from the two largest immigrant destinations in the United States to establish some basic facts about immigrants and serious violent crime. This effort to get the facts right yields several important findings, summarized as follows:

- Immigrants generally exhibit lower rates of serious violent crime in California and Texas. This is true for overall rates of violence and homicide.
- Violent crime rates among immigrants in California are lower than among immigrants in Texas, and the relative gap between native and foreign-born individuals is considerably larger in California. Immigrant homicide rates are more comparable in Texas and California, particularly since 2010.

- In both states, there is substantial heterogeneity in the immigration-homicide relationship by race/ethnicity and national origin. Generally speaking, immigrants from Asian countries have especially low rates of homicide offending.
- Undocumented immigrants have lower rates of violence and homicide offending than lawful immigrants, and especially native-born citizens in Texas. This is true for every year we have data.
- Relative to the U.S.-born population, the criminal histories of immigrants arrested for violent crimes are both less extensive and less severe. Among the foreign-born, undocumented immigrants have the least serious criminal records.

Each of these points are necessarily descriptive, but as criminologist Robert Sampson (2008: 30) notes, “descriptive facts are at the heart of sound social science, a first step in any causal inquiry.” Having laid out some of the fundamental contours of the immigration-violence nexus in the contemporary United States, the critical next step is for researchers to build off this foundation and examine why we observe these patterns. In this vein, we think our results point to several fruitful areas of subsequent research.

The first is deportation. Federal immigration enforcement is increasingly dependent on state and local criminal justice authorities to funnel criminal aliens into removal proceedings (Eagly 2013), making local police the gatekeepers of both the criminal justice system and the immigration courts (Motomura 2011). As Supreme Court Justice John Paul Stevens wrote in *Padilla v Kentucky* (559 U.S. 356 2010), “the ‘drastic measure’ of deportation or removal, is now virtually inevitable for a vast number of noncitizens convicted of crimes.” This is especially true for immigrants convicted of serious violent crimes, even in California which does not shield

violent offenders from federal immigration authorities.²⁶ Thus, on top of any criminal punishment, it is possible that fear of deportation may act as a deterrent from criminal wrongdoing. Deportation likely informs our criminal history findings as well. That is, it is plausible that immigrants with the most severe criminal histories were deported and thus potentially excluded from our data. As the immigration and criminal justice systems become increasingly intertwined, we think a concerted focus on deportation in immigration-violence research is imperative.

Given the observed differences between California and Texas, we think an emphasis on the context of reception is also warranted. For example, Lyons, Velez and Santoro (2013) suggest that immigrants generally commit fewer crimes in areas that provide greater immigrant political opportunities, such as those that provide “sanctuary” to immigrants. This view generally aligns with Stowell and Dipietro’s (2014: 524) argument that “social contexts inhospitable or unwelcoming of immigrants may potentially carry the unanticipated consequences of increases levels of violent deviance.” Do the markedly different policy stances towards immigrants in California and Texas help explain the observed differences in immigrant violent crime in these states? Our findings clearly cannot answer this question, but they do provide suggestive evidence in favor of this view. More broadly, we think the differential embrace of heightened immigration enforcement between California and Texas in recent years provides a useful research setting to understand how the context of reception shapes immigrant crime patterns. In addition, this contrast can shed light on the efficacy of immigration enforcement policies to reduce immigrant criminality.

²⁶ California’s SB 54 gives law enforcement officials the discretion to cooperate with immigration authorities if the individual has been convicted of a “serious or violent felony.”

Lastly, despite growing calls for researchers to consider the tremendous heterogeneity within immigrant populations and strong theoretical reasons to expect significant variation in immigrant criminality based on factors such as race/ethnicity, national origin, and documentation status, the foreign-native dichotomy still predominates in immigration-crime research. The results presented here add empirical validity to the theoretical motivations to move beyond this approach. In our assessment, the differences by national origin present remarkably interesting criminological questions. Take our results regarding several Asian immigrant groups for example. From 2014 to 2018, there were a total of 11,517,131 immigrants from China, Philippines, and Vietnam living in Texas and California (1,915,081 in Texas and 9,602,050 in California, based on the aggregate total population of these groups from 2014-2018), and yet we observe only 103 homicide charges among these groups (3 in Texas and 100 in California). This amounts to a combined homicide rate of 0.9 (per 100,000), roughly 80 percent below the national average.²⁷ Understanding what constellation of factors account for these notably low rates, such as differences in human capital, neighborhood resources, family structures, cultural values, etc., is a paramount criminological question. While each of these aforementioned areas represent great theoretical and methodological challenges, they also represent promising research frontiers.

²⁷ The national homicide rate during the same period is 5.0 on average according to the FBI (<https://ucr.fbi.gov/crime-in-the-u.s/2019/crime-in-the-u.s.-2019/topic-pages/murder#:~:text=In%202019%2C%20the%20estimated%20number,from%20the%20number%20in%202010>).

Section III: Did Immigrant Crime Change During the Trump Administration?

The reduction of immigrant criminality through the strict enforcement of immigration laws was a centerpiece of President Trump’s policy agenda (Capps et al. 2018). To this end, in his first year in office President Trump re-implemented the controversial Secure Communities program, rescinded prosecutorial guidelines aimed at protecting non-criminal immigrants from arrest and deportation, and increased the number of interior arrests and removals (Pierce et al. 2018). Most of these initiatives involved collaborations between local law enforcement and immigration officials. Texas, perhaps more than any other state, was and continues to be an enthusiastic partner in many of these initiatives. However, President Trump’s immigration agenda was hampered by other states actively refusing to collaborate with immigration authorities. Indeed, in 2018 the Justice Department sued California for their “deliberate effort to obstruct the United States’ enforcement of federal immigration law” (Benner and Medina 2018). The differential embrace of heightened immigration enforcement between California and Texas provides a useful research setting to understand the effectiveness of the Trump administration’s policies to reduce crime among immigrants. This is important because, to date, we know virtually nothing about whether the policy shift at the Department of Homeland Security under the Trump administration to deem every unauthorized immigrant a candidate for arrest and removal actually decreased immigrant criminality.

This is largely due to data constraints. Despite the fact that local police play a central role in contemporary immigration enforcement (Motomura 2011), information on immigration status is remarkably scarce in most crime databases. Among the most widely utilized crime data sources, neither the Uniform Crime Reports (UCR), the National Crime Victimization Survey (NCVS), nor the National Incident-Based Reporting System (NIBRS) record information about

immigration status. Cognizant of these limitations, this study draws on data from the California Criminal Offender Record Information (CORI) program and the Texas Computerized Criminal History system (CCH) to study immigrant criminality between 2015 and 2018. Critical for our purposes, these data include information on nativity for all felony and misdemeanor arrestees over this period. With these data, we use a difference-in-differences (DD) analytical strategy to examine a central research question: how did immigrant and non-immigrant crime rates change between the two years prior to the Trump administration (2015 and 2016) and two years post-President Trump's inauguration (2017 and 2018)?

A comprehensive answer to this question is critical as debates around the criminogenic consequences of immigration enforcement continue. For example, Texas Attorney General Ken Paxton has repeatedly sued the Biden administration over their immigration policies, arguing that their comparatively lax enforcement rules jeopardize public safety (Attorney General of Texas 2022). Moreover, our inquiry informs ongoing theoretical discussions on the criminological implications of immigrant-protective policies like those implemented in California. On the one hand, critics of immigrant-protective policies, often called "sanctuary" laws, contend that they increase crime by removing deportation as a potential deterrent, attracting more crime-prone immigrants, and inhibiting the government's ability to remove dangerous individuals (see Martínez, Martínez-Schuldt, and Cantor 2018 for a detailed discussion). On the other hand, proponents of "sanctuary" policies argue that they decrease crime by making it easier for immigrants to integrate into society, strengthening police-community relations, and enhancing social organization and collective efficacy, both of which are critical components to the informal regulation of crime (Lyons, Vélez, and Santoro 2013; Graif and Sampson 2009).

Comparing Texas and California is uniquely informative for this debate. Both states are home to large numbers of diverse immigrant groups. Indeed, California has the largest immigrant population in the United States by far, with approximately 10.7 million foreign-born individuals comprising 27 percent of the state population, including an estimated 2.35 million unauthorized immigrants (Pew 2016). Texas has the second largest population of immigrants, with roughly 4.6 million foreign-born individuals (~17 percent of the population), of which an estimated 1.65 million are undocumented (Pew 2016). And both states process large numbers of immigrants through their criminal justice systems. In 2012, California and Texas had the 1st and 3rd highest number of reported noncitizens in their prison systems, respectively (Carson and Golinelli 2013) and DHS estimates that there were more noncitizens arrested in recent years by local police in California and Texas than any other criminal justice systems in the United States, including the federal system (DHS 2010).²⁸ Moreover, by any metric, both states are sites of intense federal immigration enforcement. In 2016, for instance, the federal government paid more to house criminal aliens in local jails through the State Criminal Alien Assistance Program in California and Texas than the next 10 largest state jurisdictions combined (BJA 2016). In 2013, no states had a higher volume of fingerprint matches of criminal aliens through the Secure Communities program than California or Texas (ICE 2013).

Yet, California and Texas differ distinctly in their responses to the increased role of immigration enforcement in local and state criminal justice practices, particularly following the election of Donald Trump to the presidency. In 2017, California passed SB 54 declaring itself a “sanctuary state” by limiting cooperation with federal immigration authorities and preventing

²⁸ According to DHS’s Criminal Alien Population Projection Analysis (CAPPA), between 2011 and 2014 there were an estimated 749,554 non-citizens in California by local police, 428,566 noncitizen arrests in Texas, and only 374,222 noncitizen arrests by the federal government.

state and local police from holding people for immigration violations (Ulloa 2017). Texas, on the other hand, in that same year signed Senate Bill 4 into law which abolished sanctuary cities by “making local officials who refuse to accommodate the federal government’s requests to help enforce immigration law criminally liable, and even subject to removal from office” (Hing 2017). Comparing California and Texas thus provides powerful insights into the efficacy of immigration enforcement policies under President Trump to reduce immigrant criminality. That is, if the immigration enforcement priorities under the Trump administration were effective at increasing public safety, we should observe these effects much more in Texas, where such policies were actively embraced, than in California, where they were actively thwarted.

Data

The primary data sources for this analysis are the Texas Computerized Criminal History (CCH) database provided by the Texas Department of Public Safety and the California Criminal Offender Record Information (CORI) program provided by the California Office of the Attorney General for the years 2015 through 2018. Unlike the voluntary nature of the Uniform Crime Reports collected by the FBI, the CCH and CORI reporting systems are statutorily mandated for every jurisdiction throughout Texas and California.²⁹ By law, every arresting agency must report all arrests for a jailable offense, inclusive of several key variables, including the criminal statute, the level of the offense, the date of arrest, the arresting agency, and demographic information for the individual. These strict reporting requirements yield an impressive level of data coverage. In

²⁹ Chapter 60 of the Texas Code of Criminal Procedure defines the Computerized Criminal History System (CCH) as the statewide repository of criminal history record information (CHRI) reported to DPS by local criminal justice agencies in Texas. In California, the Department of Justice (DOJ) is statutorily mandated to act as California’s repository of criminal offender record information (CORI) under penal code sections 11077, 11078, 11105, 13100, 13125, and 13176.

the CORI data, place of birth is reported in 99 percent of cases. In the CCH data, the comparable figure is 96 percent.

In both the CCH and CORI datasets, we focus on multiple measure of crime, including violent, property, drugs, and traffic offenses.³⁰ In calculating the number of crimes, we count each arrest charge as a separate crime incident, which is common practice in the calculation of crime rates (often referred to as incident-based reporting). To harmonize the crime definitions across states, we use the National Crime Information Center (NCIC) offense classifications.³¹ We classify felony and misdemeanor arrests with offense codes listed as ‘violent crime’ as our measure of violence (this includes homicide, kidnapping, sexual assault, robbery, simple and aggravated assault, terroristic threat, and extortion with human injury). “Property” crimes include arson, burglary, larceny, property crimes, stolen vehicles, damaged property, embezzlement, forgery, and fraudulent activities. “Drugs” include manufacturing, distributing, sale, possession and smuggling of drugs and “traffic” offenses include the following NCIC classifications: hit and run, transporting dangerous materials, driving under the influence (DUI) and ‘other’ traffic offenses. These measures serve as the numerators for our crime rate calculations and for each offense type, we aggregate up to the county-month.

Population figures come from the U.S. Census’ American Community Survey (ACS) 5-year estimates (Manson et al. 2022),³² which serve as our denominators. For example, the 2013-2017 ACS is used for our 2015 population data, and the 2014-2018 ACS is used for the 2016 counts, etc. Consistent with common usage, we classify individuals as non-immigrants if they were born in the U.S. or were born abroad to American parents. Naturalized and non-U.S.

³⁰ We restrict the sample by omitting juvenile offenders. In Texas, the age in which an offender can be tried as an adult is 17 and in California the age is 16 (Interstate Commission for Juveniles).

³¹ We use the following NCIC definitions (<https://secure.ssa.gov/poms.nsf/lnx/0202613900>).

³² Accessed via IPUMS (<https://usa.ipums.org/usa/>).

citizens are both classified as immigrants in our study. We use the same classifications for both Texas and California to get their respective total immigrant population counts as well as the native-born citizen count and we linearly interpolate the monthly population data between the annual estimates. The unit of analysis is the county-month. We have 58 counties in California and 254 counties in Texas that span 48 months, for a total of 14,796 county-months [(58 * 48) + (254 * 48)]. In our analyses comparing immigrant and non-immigrant crime, the N increases to 29,952 because we calculate two crimes rates per county.

Analytical Strategy

We examine the efficacy of the Trump administration’s immigration policies to reduce immigrant criminality using a difference-in-differences (DD) strategy. The most straightforward DD setup involves two groups in two time periods, which can be thought of as pre- and post-treatment (Wooldridge 2010). In our framework, Texas counties and California counties represent the two groups, and post-inauguration is the “treatment.” This basic setup can be written as follows:

$$y = \beta_0 + \beta_1 Texas + \delta_0 Trump + \delta_1 Texas * Trump + u \quad (1)$$

where y is the outcome of interest (e.g., the immigrant violent crime) and δ_0 is a dummy variable for the post-Trump time period. The coefficient β_1 captures the differences between Texas and California counties prior to Trump, and the coefficient of interest, δ_1 , represents the difference-in-differences estimate by interacting Texas by the post-Trump group. That is, how did the immigrant crime rates in Texas counties change after Trump, relative to California counties? The key identifying assumption in this framework is that changes in immigrant crime between Texas and California would have followed a common path were it not for Trump. However, it is possible that there are systematic, unmeasured differences between Texas and California

counties that are totally unrelated to the Trump presidency and its policies. It is for this reason that we include multiple covariates in our regression framework that are likely to affect crime, including the percent white in the county, the percent with less than a high school degree, the unemployment rate, median household income, and the Gini coefficient (each measured at the county-month). Table 3.1 shows the descriptive statistics for all measures used in the analysis.

Table 3.1. Descriptive Statistics

	Overall		California		Texas	
	2015-2016	2017-2018	2015-2016	2017-2018	2015-2016	2017-2018
Charge rates (Number of charges per 100,000 individuals per month):						
Violent crimes	32.7	32.0	24.9	24.7	40.4	39.3
Property crimes	51.1	44.0	52.1	48.6	50.1	39.5
Drug crimes	67.7	69.5	68.0	69.8	67.3	69.3
Traffic violations	65.5	59.4	65.0	60.6	66.0	58.3
County characteristics:						
Percentage of white population	56.0	55.2	54.5	53.4	56.3	55.6
Percentage of less than high school	19.1	18.0	15.8	15.0	19.9	18.7
Percentage of unemployment	6.2	5.5	7.8	6.7	5.8	5.2
Median household income (unit: \$1,000)	55.2	56.9	65.4	69.8	52.9	53.9
Gini coefficient	45.5	45.3	46.1	45.8	45.4	45.2
Number of counties:	312	312	58	58	254	254

An alternative way to isolate the impact of increased immigration enforcement under President Trump is to incorporate a third comparison group. In our case, we incorporate non-immigrant crime into equation 1. This expanded version of equation 1 can be written as:

$$y = \beta_0 + \beta_1 Texas + \beta_2 Nonimmigrant\ crime + \beta_3 Texas * Nonimmigrant\ crime + \delta_0 Trump + \delta_1 Texas * Trump + \delta_2 Trump * Nonimmigrant\ crime + \delta_3 Texas * Nonimmigrant\ crime * Trump + u \quad (2)$$

The coefficient of interest now is δ_3 . This triple interaction term represents the difference-in-difference-in-differences (DDD) estimate. Conceptually, this interaction examines whether the crime rate among immigrants changed relative to non-immigrants after Trump in Texas, after we net out the changes in immigrant crime relative to non-immigrants after Trump in California. In this scenario, the identifying assumption is that the relative difference between immigrant and non-immigrant crime in Texas would have followed a common trend to the gap in immigrant and non-immigrant crime observed in California were it not for Trump. This triple differencing approach is particularly apt for this inquiry because there is ample reason to predict that crime among immigrants could be influenced by increased immigrant enforcement, but little reason to anticipate such policies to affect non-immigrant crime (i.e., why would ICE detainers influence crime among native-born individuals?).

We use population weights in all regressions to ensure that counties with few or no immigrants unduly influence the results. For the DD analysis, each county is weighted by the resident immigrant population and these weights are specific to the state.³³ Thus, counties with no foreign-born residents have no effect on the results. For the DDD analysis, immigrant crime rates are weighted by the immigrant population, whereas the non-immigrant crime rates are weighted by the non-immigrant population.

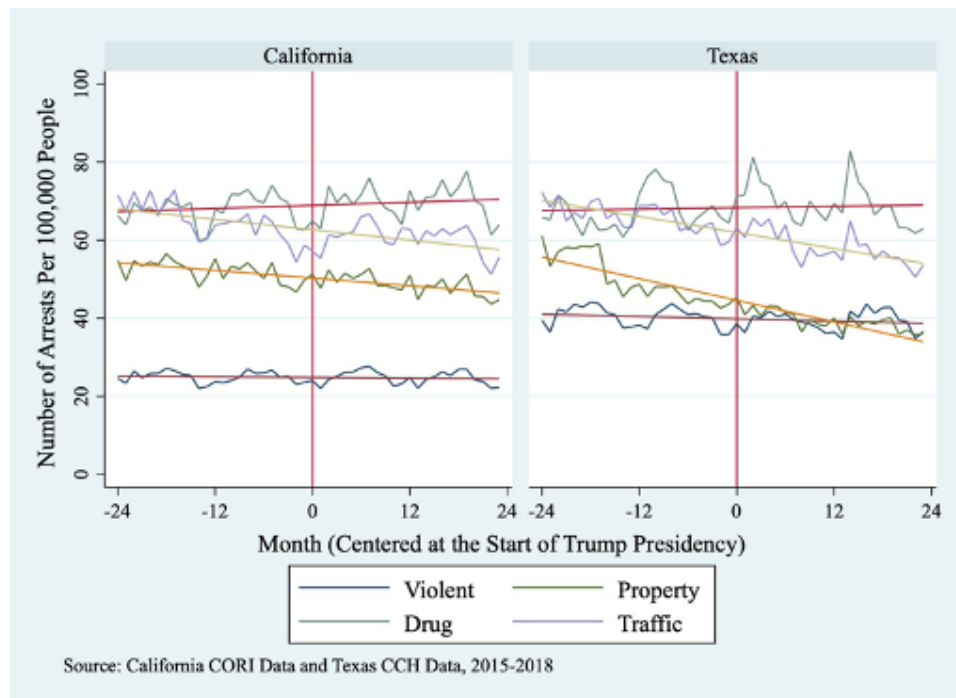
Results

We begin by examining the overall trends in arrest rates for different offense types over our study period, regardless of immigration status. As shown in Figure 3.1, violent and drug

³³ For example, Travis County, Texas (which includes Austin) has an immigration population of 208,964 in January 2015, and the total immigration population of Texas in January 2015 is 4,622,395, meaning we use a weight $208,964/4,622,395 = 0.045$. All the weights within Texas sum to 1 and all the weights in California sum to 1, meaning we place equal weights on both. In the analysis that compare immigrant and non-immigrant crime we put equal weights on immigrants and non-immigrants.

arrest rates are fairly stable between 2015 and 2018 in both states. Property and traffic offenses, on the other hand, show greater change, but little of this variation appears to coincide with the Trump presidency. For example, both property and traffic offenses fell over this period, but in both states, these decreases preceded January 2017. These overall patterns, however, may mask heterogeneity by immigration status if only immigrant crime changed markedly over this period. To address this possibility, we turn to Figures 3.2-3.5 where we examine immigrant and non-immigrant criminality separately for each offense type.

Figure 3.1. Arrest Rates in California and Texas, 2015-2018



Starting with violent crime in Figure 3.2, two points are noteworthy. First, consistent with much of the prior immigration-crime research (Sampson 2008), in both states we find that violent crime rates among immigrants are lower than among the native born. Second, although we observe some seasonal changes in crime, there is no visible change in the violent arrest rate for immigrants relative to non-immigrants in either state. Put simply, immigrant and non-immigrant violent crime changed little following the Trump inauguration.

Figure 3.2. Violent Arrest Rates by Immigrant Status in California and Texas, 2015-2018

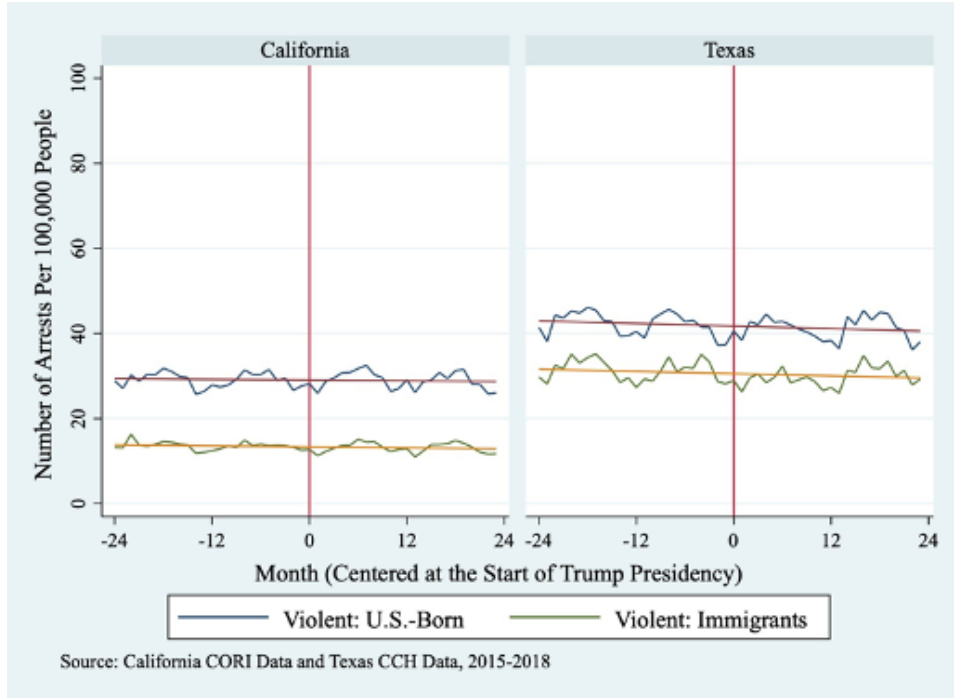
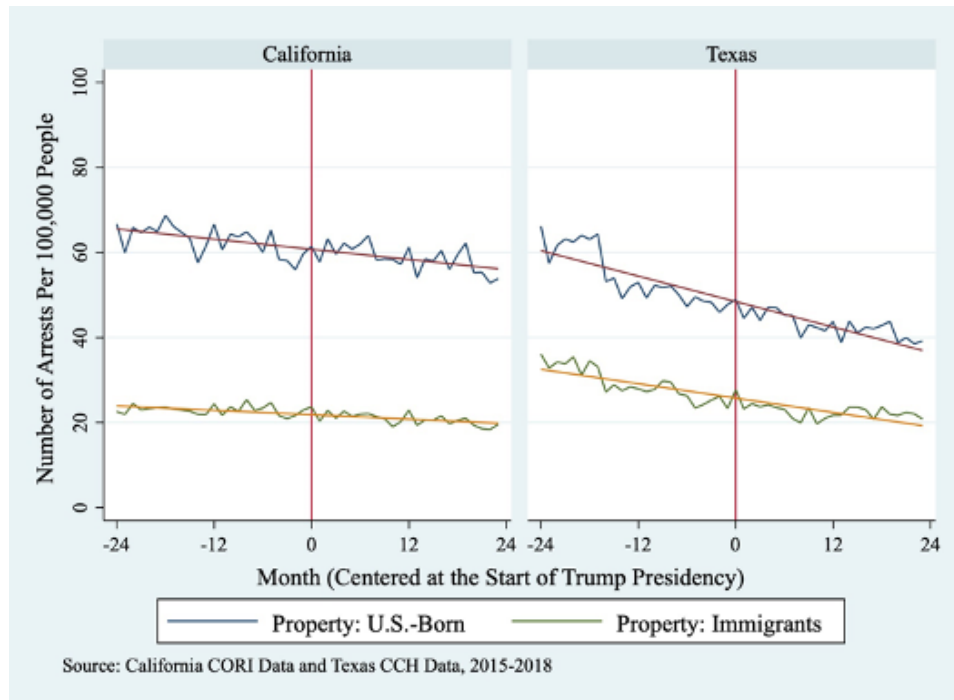


Figure 3.3 focuses on property crime. The pattern clearly shows that the arrest rates for both the U.S.-born population and immigrants decreased over time, more noticeably in Texas than California. Furthermore, the slope of the estimated linear trends in property crimes for immigrants and non-immigrants appear very similar in both Texas and California. Despite some differences depending on the month, the decrease in arrests between 2015 and 2018 is around 10% in California and 30% in Texas. But in neither state do we observe noticeable changes in immigrant or native-born criminality during the Trump presidency.

Figure 3.3. Property Arrest Rates by Immigrant Status in California and Texas, 2015-2018



This is generally true for drug crime (Figure 3.4) and traffic crime (Figure 3.5) as well, though it is worth noting that unlike other offense types, we observe slightly higher traffic arrest rates for immigrants than non-immigrants in Texas. Taken together, Figures 3.2-3.5 suggest that the trends in immigrant crime changed little in the first two years of the Trump presidency, and to the extent that they did change, these trends largely track those of non-immigrant criminality. These results undermine claims that the stepped-up border enforcement initiatives under Trump resulted in less immigrant criminality, but such descriptive findings are hardly conclusive. We thus turn to our difference-in-differences models to apply greater empirical scrutiny to this question.

Figure 3.4. Drug Arrest Rates by Immigrant Status in California and Texas, 2015-2018

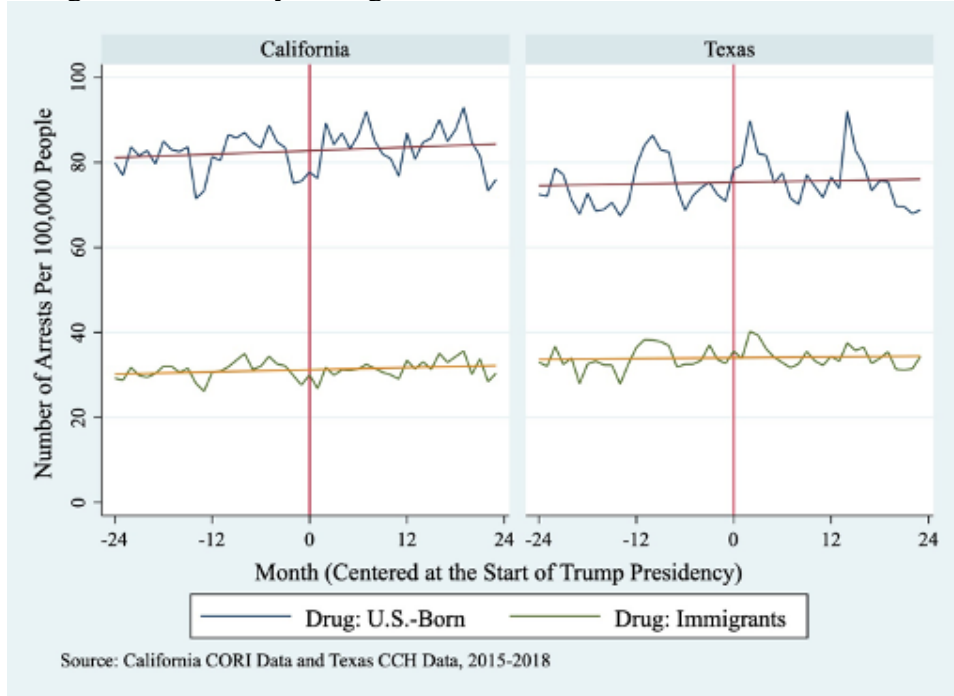


Figure 3.5. Traffic Arrest Rates by Immigrant Status in California and Texas, 2015-2018

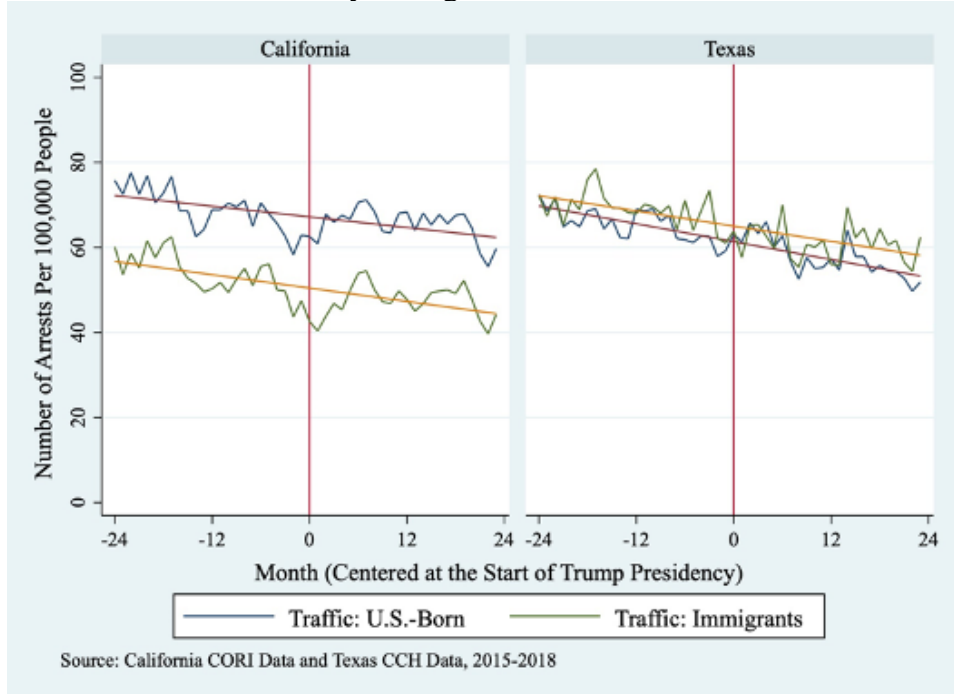


Table 3.2 presents a series of four linear regressions to examine whether, and the extent to which, immigrant crime changed during the Trump administration. Here, the dependent

variable is the immigrant crime rate for different offense types and the focal independent variable is the interaction for the post-Trump period (the treatment) and Texas (where the Trump administration’s policies were more readily implemented). To account for nonindependence in the underlying error variance–covariance matrix, we use robust standard errors clustered by county. Starting with violent crime, the results align with the descriptive trends: we find no evidence that immigrant violent crime shifted after Trump in Texas, as shown by the substantively small and statistically insignificant interaction effect. The same is true for every other offense type. For property, drug, and traffic arrests, our models detect no discernable change in immigrant criminality above standard levels of significance. Put simply, the difference-in-differences estimates in Table 3.2 indicate that immigrant criminality did not shift in Texas during the first half of the Trump presidency.

Table 3.2. DD Estimation Results

	Violent	Property	Drug	Traffic
<i>Baseline Effects</i>				
Trump admin.	0.445 (0.833)	-2.443 (1.243)	1.262 (2.084)	-3.371 (2.652)
Texas	14.914** (5.172)	2.773 (4.578)	-1.036 (7.144)	7.190 (8.302)
<i>DD Effect</i>				
Trump * Texas	-0.043 (1.029)	-2.443 (1.436)	3.411 (2.609)	1.878 (3.493)
Constant	16.211 (48.884)	63.181 (50.300)	68.951 (76.204)	27.342 (74.015)
Controls	YES	YES	YES	YES
Observations	14,976	14,976	14,976	14,976

* $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$ Standard errors are clustered by county and reported in parentheses. Models include controls for percent white, percent unemployed, percent with less than a high school education, medium income, and income inequality (Gini).

Table 3.3 probes the sensitivity of these results by adding additional interactions to examine immigrant criminality *relative to non-immigrant crime*. In these models, the focal variable is now the difference-in-difference-in-differences (DDD) interaction which estimates whether immigrant crime changed relative to non-immigrant crime in Texas following Trump, adjusting for any changes in the immigrant-nonimmigrant crime gap in California over this same period. Here again, none of the focal interactions are significant. When taken together with the descriptive figures and the difference-in-differences models, the evidence presented here shows that the transition from the Obama administration to the Trump administration had no meaningful effect on immigrant criminality, at least in California and Texas.

Table 3.3. DDD Estimation Results

	Violent	Property	Drug	Traffic
<i>Baseline Effects</i>				
Trump admin.	1.020 (0.935)	-3.209 (1.969)	2.847 (3.789)	-1.995 (3.184)
Texas	9.824* (4.197)	-12.010* (5.995)	-16.559* (8.178)	-14.183 (9.030)
Immigrant	-15.056*** (1.561)	-39.155*** (3.239)	-48.450*** (4.075)	-12.576* (5.521)
<i>DD Effects</i>				
Trump * Texas	-0.732 (1.154)	-6.575** (2.050)	2.465 (4.974)	-2.055 (3.639)
Trump * Immigrant	-0.093 (0.494)	2.228 (1.279)	-1.182 (2.613)	-2.295 (1.519)
Texas * Immigrant	4.218 (3.126)	14.974** (4.771)	12.653* (5.570)	21.395* (8.426)
<i>DDD Effects</i>				
Trump * Texas * Immigrant	-0.108 (0.914)	2.948 (1.533)	0.144 (3.698)	2.710 (2.901)
Constant	33.678 (38.628)	68.710 (51.801)	130.121 (66.882)	78.700 (72.112)
Controls	YES	YES	YES	YES
Observations	29,952	29,952	29,952	29,952

* $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$ Standard errors are clustered by county and reported in parentheses. Models include controls for percent white, percent unemployed, percent with less than a high school education, medium income, and income inequality (Gini).

Discussion

Despite speculation regarding the efficacy of the Trump presidency, which promised stricter immigration enforcement targeting alleged criminal immigrants and the decrease of crime rates among immigrants, surprisingly little research has directly investigated these speculations. This is an important gap given that the purported public safety benefits of immigration enforcement continue to influence public policy today. Texas Governor Greg Abbott, for example, ordered the Texas Department of Public Safety to launch “Operation Lone Star” to “combat the smuggling of people and drugs into Texas,” blaming the allegedly lax immigration policies of Biden Administration that “invite illegal immigration” and “endanger the lives of Texans” (Office of Texas Governor 2021).

Against this backdrop, our study informs these policy debates by providing no evidence to suggest that immigrant criminality changed markedly during the Trump administration’s first two years. In this regard, our results align with research that suggests that even the most aggressive immigration enforcement programs, such as Secure Communities, have had little impact on crime (Treyger et al. 2014; Miles and Cox 2014). However, our study goes considerably beyond prior research by not just examining overall crime rates, but immigrant crime rates specifically. In doing so, we answer recent calls for longitudinal immigration-crime research that uses more precise measures of crime, including minor forms of crime (Martínez et al. 2018). Even with this more fine-grained analysis, we see little change before and after the Trump policies.

The fact that we see little effect on traffic offenses is worth noting, especially in Texas. Traffic offenses involve a considerable amount of discretion and critics of the move towards

immigration policies have feared that immigration enforcement leads to police using their discretion to disproportionately profile and arrest ethnic minorities and immigrants (Johnson 2016). Our results are not consistent with these fears, as we observe no discernable shift in traffic arrests for immigrants are non-immigrants in Texas, compared to California. This suggests that the enforcement of traffic laws in these states largely operate independently of immigration enforcement priorities.

Regarding research on the impacts of “sanctuary” policies, our results are consistent with research suggestive of a largely null relationship between immigrant protective policies and crime. That is, in states with markedly different responses to the Trump’s administration’s immigration policies, we observe virtually no change in immigrant criminality. These results have implications for both proponents and opponents of immigrant protective policies. For opponents of “sanctuary” policies, we find no evidence to suggest that the immigrant protective policies in California led to an increase in crime across any crime category relative to the trends in Texas. This suggests that the most ambitious expectations of increasing public safety through immigration enforcement in Texas did not materialize, at least in the first two years of the Trump administration. One potential explanation for this finding is that, even in California, the threat of deportation remains a significant deterrent to immigrant criminality. For example, between 2015 and 2018, ICE arrested over 71,000 immigrants in California, 47 percent of which were through collaborations with local jails, state prisons, or other contacts with the criminal justice system (TRAC 2021). Thus, even with immigrant protective policies among state and local authorities, the shadow of immigration enforcement still looms large in California.

For proponents of “sanctuary” policies, we find little evidence to suggest that California benefitted from these laws and practices, at least in terms of crime reduction. Thus, while there

may be other benefits to these programs such as keeping families intact and reducing stress, crime reduction does not appear to be among them.

Section IV: Research Note on Recidivism among Immigrants

We were originally interested in looking at the recidivism rates of immigrants by legal status (documented vs undocumented vs native born citizens). The CCH (Computerized Criminal History) data started collecting information on legal status (coded as “legal” and “illegal”) June 2011, which is why our analysis is limited to arrests starting 2012 and onward. However, to get a complete picture on recidivism, especially for those who are undocumented immigrants, we need complete information on deportation. Otherwise, the rates may not reflect the true recidivism rate of immigrants, as they will be considered to have not committed any crimes when in fact, they are no longer in the country for us to observe their future criminality. Although the CCH data include codes for deportation, they appear to be used sparingly. In our data, we observe only 151 deported legal immigrants,³⁴ and 84 deported undocumented immigrants.³⁵ This raises questions about coverage in the deportation measure. We know from other sources that far more undocumented immigrants were deported from Texas over this period after having contact with local criminal justice authorities. According to TRAC, in fiscal year 2012 alone, 199,882 individuals were removed from Texas by ICE (Immigration Custom Enforcement).³⁶ This suggests that the CCH is missing information on deportation. This is no doubt partly a reflection of the fact that only the federal government is responsible for removals, and thus the CCH was never designed or meant to track such actions.

However, amongst the criminals who are in prison we seem to have complete information on their movement not only within the system but also on transfers to other systems. We cannot

³⁴ Legal immigrants include naturalized citizens.

³⁵ These numbers include all crimes starting June 1st 2011 until December 31st 2019.

³⁶ <https://trac.syr.edu/phptools/immigration/removehistory/>

say with confidence if the criminals are deported but, we know for certain that they are transferred out of the Texas system: either to ICE, the federal government, or another state.

We adjust for the data limitations by restricting our analysis to include only those who end up with a prison sentence and stay within the Texas system and are not released outside of Texas. Furthermore, to create a window in which individuals could commit another crime we restrict our sample to include offenders who are recorded with a date of arrest in 2012 or 2013. This gives us the ability to have full information of at least 6 years for each offender after their original arrest. These restrictions severely limit the number of offenders in our sample. Of course, we cannot include any individuals who were not released by 2018 or passed away while incarcerated, nor can we include those who were released out of state, because they would no longer be in the risk pool for recidivism (at least in Texas). This leaves us with 3,337 individuals, of which 3,010 are U.S. born citizens, 193 are documented immigrants and only 15 are undocumented immigrants. For the remaining 119 we do not have information on their legal status.

We define recidivism as a re-arrest 1 year, 3 years, and 5 years after release from jail or prison. As can be seen in Table 4.1, for U.S. born citizens, the recidivism rates are 81%, 89%, and 95% for 1, 3, and 5 years, respectively. For documented immigrants, the rates are 83%, 92%, and 96% respectively. The comparable rates for undocumented immigrants are 73%, 87% and 93%. The patterns seem to be quite similar amongst all three groups, as most individuals are re-arrested within the first year of release. It is important to note the sample size is very small and we count any arrest, which could also be an arrest that does not lead to a conviction or charge. Furthermore, we are very restrictive in the crimes that would be included in this sample.

Individuals who are released relatively fast (less than 5 years) from prison. Therefore, we would have to caution the reader to use these numbers to draw strong inferences.

We acknowledge that the sample size for the foreign-born population is relatively small, especially for undocumented immigrants. Therefore, we think shifting gears and focusing on noncitizens will allow for a richer comparison. As can be seen in Table 4.1 in the last column, for noncitizens, the one-year recidivism rate is 87%, which is slightly above that of U.S.-born citizens (81%). The three year and five-year recidivism rates are 92% and 93% for noncitizens, respectively. The three and five-year recidivism rates for U.S.-born citizens are 89% and 95%.

Taken together, it is hard to draw solid conclusions from our results. With the full data, we lack critical information on deportation which makes it extremely difficult to determine the risk pool for recidivism among noncitizens and especially undocumented immigrants. We attempt to get around this issue by focusing on those offenders for whom we have accurate information on transfers. The result, however, is that we relegate our analysis to a very small subset of offenders: those who were arrested in 2012-13, sentenced to incarceration, but released in time for us to observe in our data window. As a consequence, it is difficult to determine the scope and implications of these comparative recidivism rates. In the end, we caution against results published on immigration recidivism that do not account for deportation.

Table 4.1 Re-arrest Rates by Immigration Status

Re-arrest rate	U.S. born citizens	Documented Immigrants	Undocumented Immigrants	All Noncitizens
1 year	0.81	0.83	0.73	0.87
3 year	0.89	0.92	0.87	0.92
5 year	0.95	0.96	0.93	0.93

References

- Aguilar, Julian. "Report: After Donald Trump took office, ICE transfers jumped 60 percent in most populous Texas county." *The Texas Tribune*. Web. 8 May 2018.
- Alba, Richard and Victor Nee. 2003. *Remaking the American Mainstream: Assimilation and Contemporary Immigration*. Cambridge: Harvard University Press.
- Bachmeier, James D., Jennifer Van Hook, and Frank D. Bean. 2014 "Can We Measure Immigrants' Legal Status? Lessons from Two US Surveys." *International Migration Review* 48(2): 538-566.
- Baker, Scott R. 2015. "Effects of immigrant legalization on crime." *The American Economic Review* 105(5): 210-213.
- Baker, Bryan. 2018. "Estimates of the Illegal Alien Population Residing in the United States: January 2015." Department of Homeland Security. Washington, DC.
- Benner, Katie, and Jennifer Medina. "Trump administration sues California over immigration laws." *New York Times* (2018).
- Bell, Brian and Stephen Machin. 2013. "Crime and Immigration: What Do We Know?" pp. 149-174 in *Lessons from the Economics of Crime: What Reduces Offending?* Cambridge, MA: MIT Press.
- Berardi, Luca and Sandra M. Bucurius. 2014. "Immigrants and their Children: Evidence on Generational Differences in Crime." Pp. 551-583 in *The Oxford Handbook of Ethnicity, Crime, and Immigration*. New York: Oxford University Press.
- Bersani, Bianca E. 2014. "An examination of first and second generation immigrant offending trajectories." *Justice Quarterly* 31(2): 315-343.
- Bialik, Kristen. 2018. "ICE arrests went up in 2017, with biggest increases in Florida, northern Texas, Oklahoma." Pew Research Center. Washington, DC.
- Black, Donald. 1983. "Crime as Social Control." *American Sociological Review* 48(1): 34-45.
- Bohn, Sarah, Magnus Lofstrom and Steven Raphael. 2014. "Did the 2007 Legal Arizona Workers Act Reduce the State's Unauthorized Immigrant Population." *Review of Economics and Statistics* 96(2): 258-269.
- Bohn, Sarah, Magnus Lofstrom and Steven Raphael. 2014. "Did the 2007 Legal Arizona Workers Act Reduce the State's Unauthorized Immigrant Population." *Review of Economics and Statistics* 96(2): 258-269.

- Bureau of Justice Assistance. 2016. *State Criminal Alien Assistance Program (SCAAP)*. Retrieved from [<https://www.bja.gov/funding/SCAAP-FY-2016-Award-Details.xlsx>]
- Butcher, Kristin F., and Anne Morrison Piehl. 2007. *Why are immigrants' incarceration rates so low? Evidence on selective immigration, deterrence, and deportation*. No. w13229. National Bureau of Economic Research.
- Capps, Randy, Muzaffar Chishti, Julia Gelatt, Jessica Bolter, and Ariel G. Ruiz Soto. 2018. "Revving up the Deportation Machinery: Enforcement and Pushback under Trump." *Washington, DC: Migration Policy Institute*.
- Carson, Ann E. and Daniela Golinelli. 2013. *Prisoners in 2012*. Bureau of Justice Statistics. Washington DC.
- Carson, Ann E. 2018. *Prisoners in 2016*. Bureau of Justice Statistics. Washington DC.
- Chavez, Leo R. 2013. *Shadowed lives: Undocumented immigrants in American society*. Cengage Learning.
- Department of Homeland Security. 2010. *The Criminal Alien Population Projection Analysis (CAPPA)*. Retrieved from [<https://www.ice.gov/doclib/foia/reports/cappa-projected-arrests-releases-aor-level.xls>]
- Donato, Katharine M., and Amada Armenta. 2011. "What we know about unauthorized migration." *Annual Review of Sociology* 37: 529-543.
- Durand, Jorge, Douglas S. Massey, and Karen A. Pren. 2016. "Double Disadvantage Unauthorized Mexicans in the US Labor Market." *The ANNALS of the American Academy of Political and Social Science* 666(1): 78-90.
- Eagly, Ingrid V. 2017. "Criminal Justice in an Era of Mass Deportation: Reforms from California" *New Criminal Law Review* 20(1): 12-38.
- Eagly, Ingrid V. 2013. "Criminal Justice for Noncitizens: An Analysis of Variation in Local Enforcement." *NYU Law Review* 88:1126-1223.
- Fazel-Zarandi, Mohammad M., Jonathan S. Feinstein, Edward H. Kaplan. 2018. "The number of undocumented immigrants in the United States: Estimates based on demographic modeling with data from 1990 to 2016." *PLoS ONE* 13:e0201193.
- Freedman, Matthew, Emily Owens, and Sarah Bohn. 2018. "Immigration, Employment Opportunities, and Criminal Behavior." *American Economic Journal: Economic Policy* 10(2): 117-51.

- Gardner, Matthew, Sebastian Johnson, and Meg Wiehe. 2015. "Undocumented Immigrants' State & Local Tax Contributions." *Washington, DC: The Institute on Taxation & Economic Policy*.
- Graif, Corina, and Robert J. Sampson. 2009. "Spatial Heterogeneity in the Effects of Immigration and Diversity on Neighborhood Homicide Rates." *Homicide Studies*. 13(3): 242-260.
- Grieco, Elizabeth M., and Rachel C. Cassidy. 2001. "Overview of Race and Hispanic Origin: Census 2000 Brief." U.S. Census Bureau. Washington, DC.
- Grosjean, Pauline A. and Masera, Federico and Yousaf, Hasin. (2022). "Inflammatory Political Campaigns and Racial Bias in Policing." UNSW Business School Research Paper.
- Hall, Matthew, Emily Greenman, and George Farkas. 2010. "Legal Status and Wage Disparities for Mexican Immigrants." *Social Forces* 89(2): 491-513.
- Hindelang, Michael J., Travis Hirschi, and Joseph G. Weis. "Correlates of delinquency: The illusion of discrepancy between self-report and official measures." *American sociological review* (1979): 995-1014.
- Hinojosa-Ojeda, Raúl. 2010. "Raising the Floor for American Workers: The Economic Benefits of Comprehensive Immigration Reform" *Washington, DC: Immigration Policy Center, Center for American Progress*.
- Hing, Bill Ong. "Entering the Trump ice age: Contextualizing the new immigration enforcement regime." *Tex. A&M L. Rev.* 5 (2017): 253.
- Hing, Julianne. "Texas's SB 4 Is the Most Dramatic State Crackdown Yet on Sanctuary Cities." *The Nation*. Web. 1 June 2017.
- Humes, Karen, Nicholas A. Jones, and Roberto R. Ramirez. 2011. *Overview of race and Hispanic origin, 2010*. US Department of Commerce, Economics and Statistics Administration, US Census Bureau.
- Johnson, Kevin. R. 2016. "Doubling Down on Racial Discrimination: The Racially Disparate Impacts of Crime-Based Removals." *Case Western Law Review* 60(4): 993-1037.
- Kirk, David S., Andrew V. Papachristos, Jeffrey Fagan, and Tom R. Tyler. 2012. "The Paradox of Law Enforcement in Immigrant Communities Does Tough Immigration Enforcement Undermine Public Safety?" *The Annals of the American Academy of Political and Social Science* 641(1): 79-98.
- Krogstad, Jens Manuel, Jeffrey S. Passel, and D'Vera Cohn. 2019. "5 Facts about Illegal Immigration in the US." Pew Research Center. Washington, DC.

- LaFree, Gary, Robert O'Brien, and Eric P. Baumer. 2006. Is the gap between black and white arrest rates narrowing. *The many colors of crime: Inequalities of race, ethnicity, and crime in America*, pp.179-198.
- Lee, Matthew T., and Ramiro Martinez Jr. "Social disorganization revisited: Mapping the recent immigration and black homicide relationship in northern Miami." *Sociological Focus* 35, no. 4 (2002): 363-380.
- Light, Ivan, and Steven J. Gold. 2000. *Ethnic Economies*. Academic Press, San Diego.
- Light, Michael T., Jingying He, and Jason P. Robey. "Comparing crime rates between undocumented immigrants, legal immigrants, and native-born US citizens in Texas." *Proceedings of the National Academy of Sciences* 117, no. 51 (2020): 32340-32347.
- Light, Michael T. and Ty Miller. 2018. "Does Undocumented Immigration Increase Violent Crime?" *Criminology* 56: 370-401.
- Light, Michael T., and Jeffery T. Ulmer. "Explaining the gaps in white, black, and Hispanic violence since 1990: Accounting for immigration, incarceration, and inequality." *American Sociological Review* 81, no. 2 (2016): 290-315.
- Lott, Jr. John R. 2018. "Undocumented immigrants, U.S. citizens, Convicted Criminals in Arizona." Available at <https://ssrn.com/abstract=3099992>
- Lyons, Christopher J., María B. Vélez, and Wayne A. Santoro. "Neighborhood immigration, violence, and city-level immigrant political opportunities." *American Sociological Review* 78, no. 4 (2013): 604-632.
- Martínez, Daniel E., Ricardo D. Martínez-Schuldt, Guillermo Cantor. 2018. "Providing Sanctuary or Fostering Crime? A Review of the Research on "Sanctuary Cities" and Crime." *Sociology Compass* 12(1).
- Massey, Douglas S. 1990. "The social and economic origins of immigration." *The Annals of the American Academy of Political and Social Science* 510: 60-72.
- Massey, Douglas S. 2007. *Categorically unequal: The American stratification system*. Russell Sage Foundation, 2007.
- McCarthy, Niall. "The World's Most Overcrowded Prison Systems." *Forbes*. Web. 26 January 2018.
- Meissner, Doris, Donald M. Kerwin, Muzaffar Chishti, and Claire Bergeron. 2013. "Immigration enforcement in the United States: The rise of a formidable machinery." Migration Policy Institute. Washington, DC.

- Miles, Thomas J., and Adam B. Cox. "Does immigration enforcement reduce crime? evidence from secure communities." *The Journal of Law and Economics* 57, no. 4 (2014): 937-973.
- Morgan, Stephen L. 2001. "Counterfactuals, Causal Effect Heterogeneity, and the Catholic School Effect on Learning." *Sociology of Education* 74: 341-374.
- Motomura, Hiroshi. "The discretion that matters: Federal immigration enforcement, state and local arrests, and the civil-criminal line." *Immigr. & Nat'lity L. Rev.* 32 (2011): 167.
- Nielsen, Amie L., Matthew T. Lee, and Ramiro Martinez Jr. "Integrating race, place and motive in social disorganization theory: Lessons from a comparison of black and Latino homicide types in two immigrant destination cities." *Criminology* 43, no. 3 (2005): 837-872.
- Nowrasteh, Alex. 2018. "Criminal Immigrants in Texas." CATO Institute. Washington, DC.
- O'Brien, Robert. 1999. Measuring the convergence/divergence of "serious crime" arrest rates for males and females: 1960–1995. *Journal of Quantitative Criminology*, 15(1), pp.97-114.
- Office of Texas Governor. (2021). "Governor Abbott, DPS Launch "Operation Lone Star" To Address Crisis At Southern Border" March 6th. Accessed on September 16th, 2022. <https://gov.texas.gov/news/post/governor-abbott-dps-launch-operation-lone-star-to-address-crisis-at-southern-border>
- Ousey, Graham C., and Charis E. Kubrin. 2009. "Exploring the Connection between Immigration and Violent Crime Rates in U.S. Cities, 1980-2000." *Social Problems* 56(3):447-473.
- Ousey, Graham C., and Charis E. Kubrin. 2017. "Immigration and Crime: Assessing a Contentious Issue." *Annual Review of Criminology* 1(1): 1.1-1.22.
- Ousey, Graham C., and Charis E. Kubrin. 2018. "Immigration and Crime: Assessing a Contentious Issue." *Annual Review of Criminology* 1: 63-84.
- Passel, Jeffrey S., and D'Vera Cohn. 2009. "A portrait of unauthorized immigrants in the United States." Pew Research Center. Washington, DC.
- Passel, Jeffrey S., and D'Vera Cohn. 2015. "Unauthorized immigrant population stable for half a decade." Pew Research Center, Washington, DC.
- Pew Research Center, U.S. unauthorized immigrant population estimates by state, 2016. <https://www.pewresearch.org/hispanic/interactives/u-s-unauthorized-immigrants-by-state/>. Accessed October 2022.

- Pierce, Sarah, Jessica Bolter, and Andrew Selee. 2018. "U.S. Immigration Policy under Trump: Deep Changes and Lasting Impacts." *Washington, DC: Migration Policy Institute*.
- Portes, Alejandro, and Ruben G. Rumbaut. 2006. *Immigrant America: a portrait*. Berkley and Los Angeles, CA.: University of California Press.
- Rima, Dzhansarayeva, Alimkulov Yerbol, Shopabayev Batyrbek, Tlepbergenov Orynbassar, and Kevin M. Beaver. "Examining the potential association between immigration and criminal involvement using a nationally representative and longitudinal sample of youth." *Journal of interpersonal violence* (2019): 0886260519888531.
- Rumbaut, Rubén G., Douglas S. Massey, and Frank D. Bean. "Linguistic life expectancies: Immigrant language retention in Southern California." *Population and development review* (2006): 447-460.
- Sampson, Robert J., Jeffrey D. Morenoff, and Stephen Raudenbush. "Social anatomy of racial and ethnic disparities in violence." *American journal of public health* 95, no. 2 (2005): 224-232.
- Sampson, Robert J. 2006. "Open Doors Don't Invite Criminals: Is Increased Immigration Behind the Drop in Crime?" *New York Times*, March 11, p. A27.
- Sampson, Robert. 2008. "Rethinking Crime and Immigration." *Contexts* 7(1): 28-33.
- Schuck, Peter. 2013. "Immigrant Criminals in Overcrowded Prisons: Rethinking an Anachronistic Policy." *Georgetown Immigration Law Journal* 27: 597-661.
- Shaw, Clifford and Henry McKay. 1942. *Juvenile Delinquency and Urban Areas*. Chicago, Ill.: University of Chicago Press.
- Simon J. 2007. *Governing Through Crime: How the War on Crime Transformed American Democracy and Created a Culture of Fear*. Oxford, UK: Oxford Univ. Press
- Spenkuch, Jörg L. 2014. "Understanding the impact of immigration on crime." *American law and economics review* 16(1): 177-219.
- Steffensmeier, Darrell, Ben Feldmeyer, Casey T. Harris, and Jeffrey T. Ulmer. 2011. "Reassessing trends in black violent crime, 1980-2008: Sorting out the 'Hispanic effect' in Uniform Crime Reports arrests, National Crime Victimization Survey offender estimates, and US prisoner counts." *Criminology*, 49(1), 197-251.
- Steven Manson, Jonathan Schroeder, David Van Riper, Tracy Kugler, and Steven Ruggles. IPUMS National Historical Geographic Information System: Version 17.0 [dataset]. Minneapolis, MN: IPUMS. 2022. <http://doi.org/10.18128/D050.V17.0>

- Stowell, Jacob I., Steven F. Messner, Kelly F. McGeever, Lawrence E. Raffalovich. 2009. "Immigration and the recent violent crime drop in the United States: a pooled, crossectional time-series analysis of metropolitan areas." *Criminology* 47(3): 889–928.
- Stowell, Jacob, and Stephanie DiPietro. "Ethnicity, Crime, and Immigration in the United States Crimes By and Against Immigrants." In *The Oxford Handbook of Ethnicity, Crime, and Immigration*. 2014.
- TRAC. 2021. "Immigration and Customs Enforcement Arrests: ICE Data through May 2018." TRAC, Syracuse University. Accessed on March 6th, 2022. <https://trac.syr.edu/phptools/immigration/arrest/>
- Treyger, Elina, Aaron Chalfin, and Charles Loeffler. 2014. "Immigration Enforcement, Policing, and Crime." *Criminology & Public Policy* 13(2): 285-322.
- Tostlebe, Jennifer J., David C. Pyrooz, Richard G. Rogers, and Ryan K. Masters. "The National Death Index as a source of homicide data: A methodological exposition of promises and pitfalls for criminologists." *Homicide Studies* 25, no. 1 (2021): 5-36.
- Ulloa, Jazmine "California becomes 'sanctuary state' in rebuke of Trump immigration policy." *Los Angeles Times*. Web. 5 October 2017.
- Van Hook Jennifer. 2016 "Counting 11 Million Undocumented Immigrants is Easier Than You Think." *The Conversation*. Available at <http://theconversation.com/counting-11-million-undocumented-immigrants-is-easier-than-you-think-67921>
- Warren, Robert and John Robert Warren. 2013. "Unauthorized immigration to the United States: Annual estimates and components of change, by state, 1990 to 2010." *International Migration Review*, 47(2): 296-329.
- Warren, Robert. 2014. "Democratizing data about unauthorized residents in the United States: Estimates and public-use data, 2010 to 2013." *Journal on Migration and Human Security* 2(4): 305-328.
- Warren, Robert. 2019. "US Undocumented Population Continued to Fall from 2016 to 2017, and Visa Overstays Significantly Exceeded Illegal Crossings for the Seventh Consecutive Year." Center for Migration Studies. New York, NY.
- Winship, Christopher and Stephen L Morgan. 1999. "The Estimation of Causal Effects From Observational Data." *Annual Review of Sociology* 25:659-706.
- Wooldridge, Jeffrey M. *Econometric analysis of cross section and panel data*. MIT press, 2010.

Participants and other collaborating organizations

PI: Michael Light, University of Wisconsin-Madison

RAs: Jingying He, Jason Robey, Jungmyung Kim, and Laura Boisten, University of Wisconsin-Madison

Changes in approach from original design and reason for change, if applicable

Due to the data limitations addressed in section IV of this report, there were changes made to the proposed analysis regarding recidivism and immigration status.

Artifacts & Outcomes

Publications

Light, Michael T., Jungmyung Kim and Laura Bositen. "The Empirics of Immigration and Violence: Evidence from California and Texas." Book chapter forthcoming in *Taking Stock of Homicide: Trends, Emerging Themes, and the Challenges*.

Light, Michael T., Jingying He and Jason Robey. 2020. "Comparing crime rates between undocumented immigrants, lawful immigrants, and native-born U.S. citizens in Texas." *Proceedings of the National Academy of Sciences*.

Light, Michael T., Laura Bositen and Jungmyung Kim. "Did Immigrant Crime Change During the Trump Administration? Evidence from California and Texas." *Under review*

Presentations

Light, Michael T., Jungmyung Kim and Laura Bositen. "The Empirics of Immigration and Violence: Evidence from California and Texas." Paper presented at the 2022 American Society of Criminology Annual Conference, Atlanta, GA

Datasets Generated

The data used in section I of this report can be accessed at <https://www.openicpsr.org/openicpsr/project/124923/version/V1/view>

Dissemination Activities

In addition to a conference presentation and multiple publications, Professor Light discussed the research produced by this grant on the *Utterly Moderate Podcast*, available at: <https://connorsforum.substack.com/p/podcast-immigration-and-crime?s=w>